

**HEARING OF THE REPUBLICAN RESEARCH COMMITTEE'S TASK FORCE ON  
MILITARY PERSONNEL SUBJECT: PROPOSAL TO END THE BAN ON GAYS IN THE  
MILITARY CO-CHAIRERED BY REPRESENTATIVE JON KYL (R-AZ) AND  
REPRESENTATIVE CLIFF STEARNS (R-FL)**

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February 4, 1993  
(Washington, D.C.)

WITNESSES:

ADMIRAL THOMAS MOORER, US NAVY, RETIRED  
REAR ADMIRAL ROBERT SPIRO, US ARMY, RETIRED  
GENERAL FREDRICK KROESEN, US ARMY, RETIRED  
2247 RAYBURN HOUSE OFFICE BUILDING

REP. STEARNS: (Sounds gavel.) Good morning, everybody. I'd like to welcome everybody here this morning to our Republican Research Committee Task Force on Military Personnel.

Just a few comments on our Task Force. This is an arm of the Republican Research Committee, which is part of Republican Leadership. We are starting out to have this hearing because we want to bring attention to this very controversial action that the President of the United States, President Clinton, has indicated he's going to lift the ban on gays in the military. And as we see it, there seems to be no hearings on the House side has started on the Democratic side, and we think it's important to get off to a proper footing here and start with this.

I have a short opening statement, then I would like to call on the various members of the panel, distinguished members, and also the leader of the Republican Research Committee, Duncan Hunter.

As I mentioned earlier, we are here today to listen to the views and opinions of representatives of present and former members of our national armed forces on how to change the policy that affects our country dealing with gays in the military.

President Clinton has chosen to make this a priority during his administration. As far as I know, the military has not chosen to make this a priority, nor has Congress until now. In light of the six-month time frame that Congress has to work on this with the President, I thought it would be a good idea to hear from our nation's military leaders on this subject, as well as my colleagues, the enlisted folks, and commissioned officers of our nation's veterans who have served their country with honor. Since this proposal by the President will

directly affect them, our nation's military personnel, I believe that we must hear their voice on this matter. Before we proceed, I'd like to make just one or two observations. I have served in the military in 1963 to 1967 as a captain, and other members have, too. Democrats and Republicans together believe that thoughtful deliberations on these matters must take place before a final decision is made. I'm sure the House and Senate Armed Services Committee will be holding hearings shortly.

As President Clinton has correctly stated, many sub issues have arisen out of this one general issue of lifting the ban on homosexuals in the military. One issue I intend to explore at a later date is the constitutional issue -- who has the authority to make such a decision? Does the President or the Congress have the authority to decide whether homosexuals should be admitted to the military? I raise this issue because under Article 1, Section 8 of the Constitution it appears that Congress is vested with such authority, not the President of the United States.

Another issue that has been raised by proponents of changing the current policy is that civil rights of homosexuals are being violated due to the military's prohibition on gays in the military. I would suggest that the military is not the proper place or forum for certain interest groups to further this cause. I would also point out that such legislation was introduced by my former colleague, Ted Weiss, during the 102nd Congress, H.R. 1430, the Civil Rights Act Amendment of 1991. This bill was referred to the House Committee on Education and Labor and the Judiciary Committee, it was not referred to the Armed Services Committee. I believe that the appropriate forum for addressing the civil rights of homosexuals would be in that committee rather than the military. I think we should rely on the opinion of those who have served and who are currently serving, and that's why we're here today. I sincerely hope that during this next six-month temporary suspension issued by the President that he will listen to Congress's recommendation with an open mind as we discuss our nation's military interest. There are many, many questions that have been brought to bear in public by Senator Nunn, Chief of Staff Colin Powell and, of course, many of my colleagues here today.

I would like to introduce Floyd Spence, who is chairman of the House Armed Services Committee for the Republicans. He's ranking. He's an enlisted individual; 17 years in the Reserves. He was commissioned and retired as a captain in the United States Naval Reserve. So he is a distinguished member of the House and a great friend, and I'd like to turn the microphone over to Floyd Spence.

REP. FLOYD SPENCE (R-SC): Thank you, Mr. Chairman. We're here today because the President has decided to lift the ban that currently exists in the military on homosexuals. I think it's well for us to understand what this ban is and what it says and the rationale for it. And so I'd like to read that and let it go at

that.

"Homosexuality is incompatible with military service. The presence in the military environment of persons who engage in homosexual conduct or who, by their statements, demonstrate a propensity to engage in homosexual conduct, seriously impairs the accomplishment of the military mission. The presence of such members adversely affects the ability of the military services to maintain discipline, good order and morale, to foster mutual trust and confidence among service members, to ensure the integrity of the system of rank and command, to facilitate assignments and worldwide deployment of service members who frequently must live and work under close conditions affording minimal privacy, to recruit and retain members of the military services, to maintain public acceptability of military service, and to prevent breaches of security." We're here today to look at this ban and the reasons for it. And I'll let it go at that.

REP. STEARNS: Thank you, Floyd.

I'd like to now introduce Duncan Hunter, a member of Congress from California who is in Republican leadership and is chairman of the Republican Research Committee, who is retired military, distinguished himself in Vietnam. Duncan?

REP. DUNCAN HUNTER (R-CA): Thanks, Mr. Chairman. I retired after three years. And if I was in the military still I'm sure I would still be a lieutenant, or maybe lower at this point. (Laughter.)

But thank you for holding these hearings. And these hearings, I think, are of great importance to the American people because there are literally thousands of families sitting at their kitchen tables and in their front rooms watching television, having heard the President's pronouncements, waiting to see how Capitol Hill deals with this issue. And sitting with those families are their 17-, 18- and 19-year-old children who are encouraged and have been encouraged to join the American military. And I think it could be accurately stated that middle America is a wellspring for this great voluntary military force that has accomplished so much in the Persian Gulf and in military operations over the last 15 or 20 years. And the question is going to be are we going to lose this perception by middle America of the military as a wholesome environment for their young people; and, should we lose that, what effect will it have on our ability to accomplish the mission?

So I thank you, and I thank my colleagues for holding this hearing, and I thank very much the distinguished military leadership who has appeared today and is appearing and intends to discuss the issue. Thank you for holding the hearings.

REP. STEARNS: Thank you, Duncan.

I'd like to introduce Congressman Herb Bateman from Virginia. Herb is a good friend. He has ten major military installations in his congressional district. Herb?

REP. HERBERT H. BATEMAN (R-VA): Thank you very much, and I will be a lot more brief than I would like to be because this is a subject that you could spend literally hours in discussion and analysis. But we are advantaged today by having some very distinguished people with a career and a background much more rich than mine, and what it takes in order to maintain the kind of military capability that the nation's national security depends upon.

One of the unfortunate things about this issue is that so much that's put out, especially in the media, bottomed on very, very false premises and, I think, very inappropriate analogies, the notion that the ban on homosexuals in the military is a discrimination against people based upon their status, not upon their conduct. It certainly should require no great leap of faith to conclude that those who profess openly to be homosexuals operating in the military, and certainly there's no vow of celibacy that I'm aware of, are going to engage in that conduct which is inherently the basis of their declared sexual preferences or orientation. To say that this is purely a matter of status and that you shouldn't proscribe anyone on that basis but only on the basis of their conduct, I think, is a totally unrealistic effort to analyze this problem.

The other thing that is very troublesome is the propensity of so many to try and equate homosexuality in the military with the great social initiative of President Truman in his bar against racial discrimination in the military. There is no legitimate analogy to be drawn, in my view, in those two situations. Governmental discrimination on the basis of race is unconstitutional and clearly immoral. There is no basis on which you can legally or morally do that. To equate, however, that to a behavioral context and to say that homosexuality and any prohibition against their service or their involvement is analogous, I think, totally misses the mark. There are also those that say that the President and/or the Congress ought to change this policy because if they don't, the courts are going to do so. That overlooks certainly all of the history of how this issue has been dealt with in the context of the military, and virtually all of the decided case law interpreting the Constitution of the United States as it relates to this subject matter.

It is true that very recently one federal district court judge handed down a decision which I think most look upon as being very aberrational, and when you take literally hundreds and hundreds of federal district court judges of the United States, it's not the first time one of them has made a goofy, silly decision. There will be others. But they don't need to be emulated, and we don't need to change the public policy of the United States in anticipation of further judicial error.

So, I'm delighted that the hearings are taking place. This is a discussion that needs to be had. The American people need to understand all of the ramifications of this change in policy. They need to understand its effect upon their military, which is very, very dear to them.

As someone who spent eight years on the Personnel Subcommittee of our Armed Services Committee, and the last four as its ranking member, nothing has been any closer to me than the well-being of the people who wear the uniform of the United States of America in military service. All of our successes militarily in the Persian Gulf weren't as a result of technology and sophisticated weaponry, smart bombs and what have you. None of that would have been effective or useful if it hadn't been for smart, qualified, well-trained people. And so the whole equation of our military capability and our national defense is based upon the quality of the personnel in the force. And to implement policies which are anathema to the overwhelming majority of the people who are in the military service and to impose upon their privacy in a way that's totally unnecessary and inappropriate is to me a very serious mistake and one which I hope the Congress will see is avoided.

Thank you, Mr. Chairman.

REP. STEARNS: Herb, thank you very much.  
Our next member is John Doolittle from California, and I believe Sacramento.

REP. JOHN T. DOOLITTLE (R-CA): Thank you, Mr. Chairman. I'm delighted to be here this morning.

I very strongly endorse the present military policy on banning homosexuals from the military. I find it frankly remarkable at a time when world stability is at a great low, when there are hotspots throughout the world with the potential for military involvement and concern in the armed forces of this country, when at the same time, ironically, our military is undergoing tremendous pressures what with the planned reductions in force and the new announced planned cutbacks that we read about in the paper today to inject into that milieu this additional issue of homosexuals in the military is a very serious error.

I had the pleasure for the first time in my life of visiting one of the military academies here recently, the Naval Academy at Annapolis. And it's truly impressive to see the caliber of young people that serve there in the academy. It also was driven home to me the conditions in which they live. They're close quarters. There's -- there it's two to a room. I understand at West Point it's three to a room.

What is to be our policy in terms of housing cadets, for example, at the military academies? Are we to insert a homosexual cadet in to share a room with -- with a heterosexual? Are we going to attempt to accommodate them to grouping

the homosexuals together? I mean, this raises tremendous problems, practical problems.

You know, what's so amazing is that people are clamoring to serve in those academies. It's hard to get in. It -- it's a measure of one's excellence in order to have the honor of an appointment. I would hate to think that we'll get to the point where those vacancies become difficult to fill because we have altered the expectations of our young people.

I think homosexuality is a severe problem in this society, and I think this effort to remove the ban, frankly, is pandering to a very special interest group which seeks to legitimize its conduct. I think we're playing with very, very serious matters in this country that go right to the heart of our preparedness and right to the issues of national security. I think it would be tragic, and I'm very, very glad to have the opportunity to hear today from professionals in the military who have a deep understanding of this subject and who I think will shed some light for it. And I hope this word gets out to the public that they can begin to see what the real rationale is for the present policy.

And so, I thank you for this chance to join you for the hearing.

REP. STEARNS: Thank you, John.

I'd like to also next call on Helen Bentley from Maryland. Helen?

REP. HELEN DELICH BENTLEY (R-MD): Thank you, Mr. Chairman.

Mr. Chairman, I want to join in in complimenting you on calling for this open session this morning, because this issue is of major importance. I happen to have one of the largest army installations in my district -- Aberdeen Proving Ground. And I also am on the board of visitors to the Naval Academy. And there are four to a room, Mr. Doolittle, when you first go in, so it's even worse than what you think. It becomes two to a room when you become a senior down there. But --

REP. : (Off mike, laughter.)

REP. BENTLEY: You have to move along.

This issue is so very, very vital, I think, and can make such a difference to the future of our national security. And I think we just have to look upon it that way. What are we going to have, and how's it all going to end up if the policy is changed, as is proposed now by the President -- President Clinton? As was pointed out here already, we have our troops over involved in two hotspots in the world right now -- in Iraq and Somalia -- with the possibility of a third immediately. And these pressures on our military is just too much to -- for them to be able to handle everything in the right way. And I just -- I'll put it for the record, my switchboard at my office has been so overwhelmed with calls, as I know all of them have.

I understand that the media is not making it known how many calls are really coming in to the White House. I understand it's been well over a million, closer to a million and a half in the -- since this was announced about ten days ago. I can tell you that I've had thousands, and that the ratio in my office is 500 to 2 against it. So that's where we are today.

REP. STEARNS: Helen, I appreciate your coming and sharing that with us. Joe Barton is a member from Texas who will also be testifying a little later. But Joe, would you like to speak?

REP. JOE L. BARTON (R-TX): Mr. Chairman, I won't give a long statement. Simply let me say I think it's very important that this hearing be convened this morning, given the reluctance of the Armed Services Committee to schedule a formal hearing. I want to thank our distinguished panel for being here. I spoke with Senator Dole immediately before coming to this meeting. He assured me that he and the Republicans working with some conservative Democrats are going to attempt to get a vote today on the issue on the Senate floor. I have a bill that Congressman Hunter and Congressman Dornan and Congressman Johnson introduced here on the House side, H.R. 667, that's -- that has got the endorsement of almost all the military service organizations. I'll be speaking about that later, but I just -- I want to thank you for holding this hearing. This is a very important issue. It needs to be debated in a rational, calm way. Let the American understand exactly what the military situation is, what military necessity means, and I feel that when all the facts are on the table, the position that this panel holds will be the position that is adopted formally by the Congress.

Thank you.

REP. STEARNS (?): Joe, thank you. We're going to start with our first panel, and I want to thank my colleagues for coming, and I hope they'll stay around for the discussion. We have several panels here.

The first individual who will speak to us is Admiral Thomas Moorer. I think for many of us we followed his distinguished career, and he was Chairman, Joint Chiefs of Staff from 1970 to 1974. This individual also commanded both the Pacific and Atlantic fleets. He's been in three wars, he was even involved with Pearl Harbor. I could go on and on about his distinguished military career, but I think many of us know about it, and I think the public would be most interested to hear how Admiral Moorer feels on this issue.

Admiral, good morning and thank you very much for coming.

ADM. MOORER: Thank you, Mr. Chairman. Mr. Chairman and members of the study committee, I have testified before the Senate and the House committees for well over a hundred times, but I must say that this issue, to me, is the most

important, the most disturbing that I've ever encountered in war or peace because what is going on here is an effort in effect to downgrade and demean and break down the whole structure of our military forces, and that's at a time when we have the outstanding crews, and -- however, we also are facing radical cutbacks. And consequently the commanders from the sergeants on up are going to be faced with all kinds of problems because of the presence of homosexuals, when what they should be doing is making an orderly cutback while they maintain combat readiness.

And I can assure they are going to be plenty of special problems, and I will talk about them. I have very carefully read the press, listened to TV, and all in all, the homosexuals say that it's my right to serve my country. No one has a right to serve their country if they're not qualified. You have a duty to serve your country if you meet all the requirements, but for years we have been imposing requirements in times of strength, height, disease, history, crime -- it goes on and on and on. In other words, as Congressman Bateman pointed out, the men we need in the military today must be morally, physically, and mentally strong to deal with all of the technical problems we have. So those that come into the armed services must be qualified, and the homosexuals, as I will go into later, are not qualified for that kind of duty because of the impact it has on the organization overall -- because they do not practice discipline and self-control, and there have been really -- I'll show in just a minute what I'm talking about.

You might ask the question will the troops respect a platoon if it's well-known in their unit that he's homosexual? And I can guarantee you that these young people who are young -- in their 20s, 22, 23 or even younger, will spot a homosexual a mile away as soon as he comes in, and they'll have to name him Tessie, or Agnes, or whatever, and then subsequently he'll get caught in some kind of sexual activity, and then he's discharged.

So how will the heterosexuals react to the homosexuals? They will be very unhappy, if you ask any of them. The American public is also reacting, as Congressman Bentley just pointed out what the ratio is, and so here's a case where we are taking -- the administration is taking action for a few votes and a few dollars, which is going to lead to a very serious damaging of the armed forces in my opinion.

You know, ask yourself the question, how about promotions? I can guarantee you that up here in this college -- I mean, in this Congress you're going to have Congressman Stubbs and Congressman Frank and others introducing bills to promote a certain number, and when they don't get promoted, they're going to say I was a real super soldier or sailor or airman, but they didn't promote me because I'm a homosexual. You're going to have that over and over again if this ban is removed.

How about life in a military base? Are gays going to take their lovers to the officers' club to dance? What will the ladies living on the base think about these people that are exposed to their children? They're not going to like it at all. And the morale of the ladies, the wives on the base, are dictated in effect by the morale of the fighting men that are present.

Are the heterosexuals going to have their morale damaged? Of course they are. It already is, just the prospects. I want to emphasize that there's going to be many fights, I have -- and injuries. I have predicted that the four or five times I've been on TV, and already we have a trial on the West Coast where allegedly a gay was killed by other men, and we've had the situation in Le Jeune Marine Base where Marines have jumped on a homosexual because of advances he made.

And I would just like to present to the committee a picture out of the Saturday Jacksonville paper, where you have this little group of homosexuals going to a naval base, and the first thing that happens is one of them walks up to a sailor standing there and kisses him. There's a picture right there if you don't believe it. And of course, the sailor is pulling back, and it wasn't -- hadn't the soldier (stood ?) there, you would have had a terrible fight. But these homosexuals can't resist making these approaches, and that's what brings about dissension, and there again the commanding officer has got to stop and hold, perhaps convene a court martial, make an investigation, and it goes on and on and on, and of course, the media doesn't help in this because they will paint the situation in such a way that it appears that the heterosexual, the young men are at fault. I want to just say one other thing, or one -- two other things. How about AIDS?

Everyone knows -- no one can dispute that the homosexuals as a group are responsible for introducing into this country and spreading -- because of their very filthy and immoral practice, we have a disease spread all over this country now. And now the wives are catching it and, furthermore, the children, unborn children are catching it. It's a disease that's incurable, it's contagious, and it's fatal. And the treatment of it costs five times as much as the next worst disease, cancer. And when the homosexuals in the military catch AIDS, don't forget when you get enlisted or appointed or commissioned, you are, in effect, given a lifetime medical insurance. And so there's Uncle Sam, the taxpayer, paying for this for I don't know how long, just at a time when the military budgets are really strapped.

One final thing. I don't know whether you gentlemen have had an opportunity to talk to an accomplished psychiatrist about how these people really think and how they behave. And I would recommend that you do so, because I have talked to them, and you will see some -- you will probably learn some surprising things. So I think it's important that we keep the pressure on, certainly until July the 15th, not let it die out. And in that connection, I want to advise the

committee that a group of us are organizing a Defense Readiness Council, and the purpose of it is to coordinate the activities of all of those who are opposing a removal of the ban and make sure that there's no uncovered areas and be sure that there's not any duplication. So that's really what we're going to try to do, communicating with all of the service organizations and other people that are very strongly opposing this unnatural and certainly damaging policy of removing this ban.

Thank you, Mr. Chairman.

REP. STEARNS (?): Admiral Moorer, thank you very much. For those in the audience, I would also like to mention that his distinguished career spanned 45 years.

Our next panelist is Rear Admiral Robert Spiro, Jr., United States Naval Reserve, retired. He is vice president, American Security Council Foundation, former national executive director, Reserve Officers Association, and former undersecretary of the Army. So I think his perspective is both military and as working in the government as undersecretary of the Army, so that would be important to hear what you feel, too.

Good morning, and welcome. Thank you for coming.

ADM. SPIRO: Thank you, Mr. Chairman, and lady and gentlemen of the committee, for this opportunity to speak before you today. As a former undersecretary of the Army, and a former Navy enlisted man who served for more than 37 years in the Reserve, both enlisted and officer at sea and ashore, and in combat and peace, and as a former university professor, a dean and a president, I am deeply concerned about President Clinton's plan to overturn the Department of Defense ban on homosexuals in the military services of the United States. Perhaps one of the perspectives I bring to the committee today is that of a reserve person, having been a reservist for all these 37-1/2 years, enlisted and officer.

It's my considered judgment that the real issue before us is national security and not the allegedly rights of homosexuals or any other group to serve in the armed forces of the United States. Now, Admiral Moorer adverted to the fact that there are many disqualifications which are not embarrassing and not unusual and which are historic: mental aptitude, physical disabilities -- too tall, too short, too heavy, too light; there are many reasons why people can't serve, including felonious conduct.

I know of no one who questions the constitutional authority of the president of the United States to command the nation's armed forces. But most Americans, I believe, can properly question President Clinton's wisdom as commander in chief if he does continue to seek to end the ban on homosexuals serving in the

military. The issue is not the alleged rights of a homosexual to serve, the issue is far larger, far deeper and, in my judgment, it is crucial to national security.

Together, the Joint Chiefs of Staff, comprising six flag and general officers, have contributed almost 200 years of honorable service to their country. They have repeatedly taken oaths to uphold the constitution and to serve honorably in their offices, and they are strongly and unanimously opposed to ending the ban. Their concern and their oaths are to national security, and their considered judgment should be heeded.

All 23 or 24 veterans organizations oppose ending the ban. The Retired Officers Association, for example, has 322,000 enrolled members. They have polled their membership and have found that 83 percent support current restrictions on homosexuality in the armed forces; 13 percent favor some form of change. Large majorities of these retired officers declare their belief that revocation of the ban will have a negative effect on morale, pride, trust, discipline, combat effectiveness, accessions, and privacy. Now these are seven issues that President Clinton cannot and does not fully understand, but they are crucial to military readiness and national security, and it seems to me that this committee and our Congress should take account of these seven specific problems that arise in this connection. May I briefly repeat them? There's morale, pride, trust, discipline, combat effectiveness, accessions, and privacy.

Former Secretary of the Army Marsh wrote in the Washington Post on January 14th, "Known homosexuals threaten established values and create tensions that can undermine a unit's spirit and confidence." End quote.

Illustrative also is the graphic narrative written by a New Jersey businessman who was 18 when he boarded a Navy ship in World War II. Now this man wrote in the Wall Street Journal, December 2nd, 1992, about going aboard this large Navy ship. The first night, a homosexual approached him while he was asleep, tried to fondle him. He threw him out of the compartment, and for many weeks, he said there were five aggressive homosexuals who threatened the entire ship's company. And he describes this in the Wall Street Journal in some detail and it's a frightening story.

General Colin Powell, the first officer of his race to serve as chairman of the Joint Chiefs, expressed his solemn and reasoned opinion to Representative Patricia Schroeder last May. And I wish to quote, Mr. Chairman, several sentences from General Powell. Quote, "I have given a great deal of thought to my position, and continue to hold the view that the presence of homosexuals in the military is prejudicial to good order and discipline. This is the policy of the Department of Defense, and is supported by all the Joint Chiefs of Staff. It is also a view held by experts who have studied the sociology of the military for many years."

"I'm including," he said to Representative Schroeder, "a recent article by Charles Moskus (ph), a respected sociologist who commented on the subject in some detail. I'm well aware," wrote General Powell, "of the attempt to draw parallels between this position and positions used years ago to deny opportunities to African Americans. I know you are a history major, but I can assure you that I need no reminders concerning the history of African Americans in the defense of their nation and the tribulations they faced. I am a part of that history."

"Skin color," he continued, "is a benign, non-behavioral characteristic. Sexual orientation is perhaps the most profound of human behavioral characteristics. Comparison of the two is a convenient but invalid argument. I believe the privacy rights of all Americans in uniform have to be considered, especially since those rights are often infringed upon by conditions of military service. As chairman of the Joint Chiefs of Staff as well as an African American fully conversant with history, I believe the policy we have adopted is consistent with the necessary standards of good order and discipline required in the armed forces." End of quotation.

Service in the armed forces is a unique calling. Military men and women must be prepared to live anywhere, fight anywhere, and yet maintain high morale and combat efficiency under frequently adverse and difficult situations. They are asked to undergo frequent exposure to risk, long hours, periodic locations and family separations. Additionally, they willingly accept some abridgement of their freedom of speech, their right to privacy, and control of their living and working conditions. These are all part of the very personal price our military personnel pay on a daily basis.

If I may make a personal comment here, I spent 22 months in World War II aboard a destroyer, the USS Morris (sp), COMDESRON II (?), in the Pacific, 16 combat operations. We had compartments aboard the ship much smaller than this hearing room. A destroyer is a very small ship -- 1650 tons in those days for a little destroyer. The enlisted men in their quarters aboard that ship are stacked along the bulkhead of the wall. The ceiling, or the overhead, was perhaps only eight or nine or ten feet, but five or six men, every two feet, are stacked along the bulkhead. In a room of this size or compartment, there would -- there might be a hundred men, and they shower in gang showers, and they go to the bathroom in large accommodations. Life in the military is different, and it's a voluntary life now in our military services, and President Clinton's pledge, if fulfilled, would strike at the very things that (comprise ?) the efficiency, high morale and discipline. He cannot know what he's talking about. He had his opportunity to serve, and he ran away. And here are 27 million veterans -- living veterans in the United States, and to my certain knowledge, almost all of them favor the ban on homosexuals from serving in the military. What little privacy now exists for most personnel would be further jeopardized by this action of eliminating the ban. The result can only be a diminution of their

ability to carry out their mission, which is the defense of the nation. It has taken this nation many years to develop a well-educated, quality force of dedicated men and women that comprise the best military organization in the world. The very security of our nation rests in their hands. Let us not jeopardize that security.

The first and the foremost obligation of a sovereign nation is to protect the sovereignty and to provide for the security of the nation and its people. Everything else is secondary. Welfare, Social Security, all of the benefits of society are secondary to the obligation of a nation to provide security. Even the preamble of our Constitution calls for the government of the people to provide for the common defense. If national security is jeopardized, all the other benefits of our Constitution and government will be in danger. And thus, I return to my original proposition. The fundamental issue of this controversy is national security and not the alleged rights of any group of citizens.

Thank you.

REP. STEARNS: Thank you, Admiral Spiro. I also want to point out to the folks in the audience that he received the distinguished civilian service award by the Secretary of the Army.

I'd like to introduce our next panelist, General Frederick Kroesen. General, welcome this morning. He enlisted in the United States Army in 1942 and advanced through the grade to general of the United States Army in 1976. He was Vice Chief of Staff of the US Army from 1978 to 1979, and Commander in Chief, Europe, 1979 to 1983.

I want to welcome you.

GEN. KROESEN: Thank you, Mr. Chairman. I appreciate this opportunity to express my views on this subject. I have prepared a statement which I've submitted for the record, and with your permission and in the interest of brevity, I will try to summarize what that statement says. And I apologize in advance for the redundancies that I'm going to iterate here. These are three completely uncoordinated statements that are being made by those of us appearing before you, and we have many of the same ideas.

I would like to start by talking about my interest in this as being one in which there is a dilemma of differing views and factors and concerns that I believe need to be considered before any changes are made in the current policy. The most important of these factors has already been touched upon. It's the continuing professionalism and the quality of the armed forces.

We have demonstrably -- validated in the Persian Gulf -- we have today the finest military organization in the world, and I think it's important not only

to us but to the world in general that we maintain a force that cannot be contested by anyone.

The second factor has also already been touched upon. Our government has always been selective when determining who will serve in its military forces. We have -- at the height of World War II, when we had 15 million Americans serving in the armed forces, we were still very selective. The mentally deficient, the physically handicapped, the convicted felons, the morally inept were barred from service even when our manpower demands were for 10 percent of our total population. In every draft army, we have discriminated, and certainly in the volunteer army we have discriminated. The government should never give up this right. My point is that this is not a civil rights or a discrimination issue. The third factor, and one that's seemingly not understood or is purposely ignored, is the fact that the current policy is concerned with homosexuality, not with homosexuals. Homosexuality is defined in the dictionary as the practice, an atypical, aberrant sexual practice or behavior. It is not concerned with the condition of homosexuals or individuals who claim that as a natural and inherent affliction, they are born this way.

Those who have served successfully in the military, and there have been large numbers of successful homosexuals who have performed on tours of duty or even complete careers and retired from the services, but they have either been celibate or they have been so secretive that the homosexual practices were not identified, not called to the attention, and their behavior did not have to be dealt with.

The fourth factor, and one that has not been talked about today, is the history of sexuality itself in the military services. The President's Commission on Women in Combat, studying the role of women and studying the role of women in the Persian Gulf, has on page 122 of its report the fact that 74 percent of the soldiers and 73 percent of the Marines who served in the Persian Gulf in mixed units, mixed sex units, reported that sexual activity was detrimental to both morale and combat readiness. If heterosexual behavior is divisive, it's difficult to believe that the introduction of homosexual activity will not be equally disturbing, if not more so.

I would also like to make one more additional factor apparent. Soldiers do not want the policy changed. I can't prove that statement, and I have no statistics. There are no poll results yet which show what the serving military believes, and so I can't validate my contention. But based on my years of association with the -- with -- with soldiers, I just flatly assert they do not want this changed. And it's my fond hope that before any final decisions are made on this issue, the views and concerns of those currently serving will be considered.

Now, in consideration of those factors, I have in the past been asked "What

specifically do the military forces fear about the introduction of homosexuals?" And my first answer is, we fear nothing and nobody, but I know what the question is referring to. And I have come up with five specific areas that I think are important.

The first one is, will morale, esprit de corps, unit cohesion, and combat effectiveness be adversely affected by the inclusion of openly homosexual personnel? It's my opinion that it will. It's my opinion that cliques will form, that factions will be found in units opposing each other.

I believe there will be a breakdown in discipline that will be -- that will be the same kind of problem we had when we had the problems of drug users and non-drug users living in the barracks. And the drug users and the non-drug users made battlegrounds of our barracks for many years, particularly in our overseas forces. And I think that it's important that we not allow that kind of influence to -- to deteriorate the mutual trust and confidence that is so important among soldiers, so important among the small units that can be sent to war tomorrow morning, where every man has to be satisfied that he's willing to live or die for the friends that he goes to war with. Wars are fought in the Army and the Marine Corps by small units, small teams, small crews. And they have to be willing to live and die with each other and live and die for each other.

The second specific area that I think that services have to be concerned with is, what part of the population is going to dissociate from the armed services because of this change of policy? Besides the number of people in the Army and Navy and Air Force today who might resign or who might terminate their service for this reason, I think we have to be concerned with a propensity for re-enlistment, for those who just allow their current enlistment to run out and not remain with us, or a change in the quality and number of new enlistees and the impact on applications for West Point, for ROTC, and I think these are all subjects that should be investigated.

We have administrative support complications. If we introduce two new sexes into the services, there will be requirements for, if not new facilities, construction at least for modification of what we already have, and there are costs associated with that. There are going to be demands for partnership accommodations, access to medical care, recreation facilities, and all these other activities that -- that we now conduct on military installations.

The fourth question that I ask is whether the introduction of homosexuals will introduce new claims regarding sexual harassment, discrimination, and violations of equal opportunity. This point has already been talked about, but I believe we will find demand for inclusion of percentages on promotion lists and school selections and high visibility assignments for all of the homosexuals who are added to the system, and this will be an addition to the already burdensome personnel management system that the services are trying to put into effect.

And my final question, will the introduction of homosexuals result in dissent caused by accusations of misconduct? I think we will find claims by heterosexuals that they have been accosted or subjected to unwanted advances, and we will also find claims by homosexuals that they've been assaulted or improperly treated, and these are complications that no unit commander, no company commander in the Army today will look forward to, particularly when the probability of forced, false, or exaggerated claims is something greater than zero.

I don't claim to know the best answers for all of these questions that I've asked, but I do know that during the past two hundred years the armed forces have evolved the current policies, and they have served well in both war and peace. We have manned our forces. We have maintained admirable standards of capability and effectiveness. And I think any change in these policies requires a very serious consideration of many factors, more than I have identified today, before a potentially drastic revision is made in the way we do business in the armed forces.

Thank you, Mr. Chairman.

REP. STEARNS: General Kroesen, I want to thank you. And I want to also point out to the audience that General Kroesen received the French Legion of Honor. At this point, we're going to open up for questions and allow members to ask questions. And I might point out to the members that we are trying to continue on here quickly. We have two other panelists, and then we have a member who would like to talk about his piece of legislation. So, I urge you to be brief in your questions.

My first question was concerning the Uniform Code of Military Justice, and I think you folks alluded to it. If the ban is lifted by President Clinton, what are the implications for the Uniform Code of Military Justice and what would need to be done? Either one of you.

GEN. KROESEN: Go ahead, sir.

ADM. MOORER: I think that it would take additional action by the Congress because of what the -- the way the Constitution is structured. In Article 1, it says specifically that it is the power of the Congress to regulate the army and the naval forces. And so, that's exactly what would happen. We would have accusations and people caught redhanded in the act of sodomy, and that brings on five-year imprisonment and a dishonorable discharge, and that's still on the books. But then you'd have -- now that we have this homosexual movement, you'd have people coming forward to try to defend these people or they would try to explain why they were involved in this act. And consequently, it's still on the books, but it would be far more arguable than it is now. People are always saying that we've wasted all this money discharging these homosexuals. Well,

the facts are that in terms of combat readiness and cohesion and morale, I think that had they not been discharged, the impact would have been far more than is represented by a few million dollars.

REP. STEARNS: General Kroesen.

GEN. KROESEN: Yes, sir. I would like to say that the Uniform Code of Military Justice deals with this question of behavior as opposed to status or condition of people. If the ban were changed, I would hope that no changes would be made in the Uniform Code of Military Justice and that it still controlled the behavior of the members of the armed forces.

REP. STEARNS: Admiral Spiro.

ADM. SPIRO: (Inaudible.)

REP. STEARNS: Well, at that point, I'll allow my colleagues -- let me also welcome Mr. Hyde and Bob Dornan to our delegation here. Helen, would you like to ask a question?

REP. BENTLEY: Mr. Chairman, I appreciate you allowing me to do this because I have to leave to another -- (inaudible). First of all, I want to say that I've had the pleasure of working with Admiral Moorer for some 25 years when he was CNO and I was chairman of the Federal Maritime Commission. It's always delightful to hear him.

I just want to point out, Mr. Chairman, something that was called to my attention this morning early, that recently Maria Shriver on her television show included some scenes from a gathering of media persons who were editors, writers, and film people, print and TV, who were younger and up to middle-age who were all of the homosexual type, but who said that they had determined that they were going to turn things around for that community, and they were the ones who were going to be the driving force on what's going to happen in this country. I just wanted to make that comment.

REP. STEARNS: I appreciate your observation.

REP. : Would the lady yield? I sat through that entire NBC hour documentary, and I've never seen anything filled with such blatant propaganda in my entire 59 years, including absolute misstatements of facts, including figures on AIDS and its spread. It was raw propaganda, and I think it should be discussed on the floor of Congress. It was nothing short of a disgrace.

REP. STEARNS: Are there any more questions? Yes, Joe?

REP. BARTON: I'd like, since we have such a distinguished military panel, I'd

like to ask some questions about the policy of military necessity. And it's my understanding that the force structure and the policies regarding military enlistment and military operations are based on military necessity. Has there ever been a study in any of you gentlemen's recollection where it was the conclusion of the study that military necessity required that homosexuals be allowed to serve in the military?

ADM. MOORER: Well, the answer to that, of course, is no.

REP. BARTON: Okay. Has there ever been a study, an academic study or an operational study, that has concluded that military operations in past wars would have been improved if homosexuals had been allowed to openly serve in the military?

ADM. MOORER: Of course not, because they are an administrative headache, and that would detract from the attention of the commanders who are involved in trying to win battles with minimum casualties.

REP. BARTON: Okay. So, in your expert opinion, there is no necessity in terms of defending this nation against all enemies, which is the constitutional requirement given to the military, to allow homosexuals to serve in the military?

ADM. MOORER (?): None whatsoever.

REP. BARTON: Thank you.

REP. STEARNS: Henry? Mr. Hyde.

REP. HENRY J. HYDE (R-IL): Thank you. I want to thank Duncan Hunter, the chairman of the House Republican Research Committee, for holding these hearings. I'm afraid these may be the only hearings Congress will have for some time, as those who are more directly responsible jurisdictionally for hearings seem to be backing away from them for some strange reason. But, in any event, I thank you, and I thank you, Mr. Stearns, for your chairing of this important meeting. And I think --

ADM. MOORER: Could I make a comment, sir, please?

REP. HYDE: Surely.

ADM. MOORER: I would entreat you -- I would entreat you gentlemen not to let the pressure fade off. We've got till July the 15th. We've got Senator Nunn's hearings. We've had a tremendous amount of reaction to this nationwide. But if we just -- pretty soon, we're going to have other issues, and it would be too bad when right around June or July, this subject is not kept to the fore. So,

all of us that I'm involved in, we're trying to keep this whole thing alive because it's crystal clear that the citizens of this United States are strongly opposed to this idea which is certainly representative of very poor judgment.

REP. HYDE: Well, I thank you, Admiral, and I agree with you. This can fall off the radar screen very quickly and very easily as we get lost in issues that others say are all-important, the economy and other things. But I agree. This is a very critical issue, and I want to congratulate you three gentlemen for coming here and being so forthright and incisive in your remarks on this important issue.

Very quickly, I have heard the criticism made of the New York Yankees that they don't have enough Jewish players because New York City has a large Jewish population. And I would say the New York Knicks, one could say the same thing. And the answer to that is quite obvious, they are not a unit that is to reflect the civil rights of the community or to be a mirror as to the religious and ethnic composition. They are a profit-making team that's out there to win games, and they get the best players regardless of their color, their religion to do that.

So, the military is not an entity that's designed to resolve ethnic discrimination, religious discrimination, lifestyle discrimination. It has a single purpose, defending this country, projecting power where it is necessary in the national interests of this country. That's the supreme purpose. I remember researching as a lawyer the question of whether people could hold a rally in a library. And the answer was no. It's a specific-purpose building. It's there for quiet, for people to read. It's not there for having public rallies. The military is not there to solve social problems and to make sure that its personnel reflect in proportion the lifestyle preferences or orientation of society in general.

Now, one thing that isn't stressed, it seems to me, enough is the question of blood. Magic Johnson had to leave active playing for the Los Angeles Lakers because if he gets scratched, people are going to be very concerned about touching him because he has the HIV virus. And the other players are very concerned about it. And here is one of the greatest players in the history of the game feeling up to playing, but because of the trauma, emotional and otherwise and physical, of getting scratched and bleeding, he's out of the game. Now, the military runs the risk of somebody getting shot, somebody getting hurt, somebody falling off a tank, somebody bleeding. And when you are living in enforced intimacy on shipboard or in a foxhole and this other comrade starts to bleed and he is gay, who is to -- homosexual, more appropriately -- who is to say that the reaction is unreasonable for someone who does not want to immediately contact the person where that blood is? I think that has to be thought about.

Privacy. Anyone who has a daughter has to imagine your daughter living in a barracks with a bunch of men and dressing and showering. You'd say that's unconscionable, that's wrong. I am unable to distinguish the difference between having to do that with people whose sexual orientation and arousal level is exactly the same and maybe more, for all I know. Maybe more. What about the rights of the people who are straight?

Lastly, I have always been troubled about the Joint Chiefs of Staff simply because they -- the commander-in-chief, the commander-in-chief sets the policy. And I don't know how one stays chief of staff of the Army, the Navy, the military and chairman of the Joint Chiefs of Staff and says to the commander-in-chief, "No, you're wrong. This isn't what you want to hear, Mr. President, but this is dangerous, it's wrong, it's deleterious." I've often thought it takes very brave people to do that, especially in the military hierarchy, where the commander-in-chief says, "I've made up my mind. Have your hearings, and then we're going to do it." It's like telling a defendant we'll give you your trial and then we're going to execute you. It's all cut and dried. We need heroic chiefs of staff who are willing to resign, and that's asking heroism, but they've got to stand up to the commander-in-chief in this situation, I think, and I pray they do.

And I wish I had questions, but I've just -- you've said it all, and I thank you.

Thank you, Mr. Chairman.

REP. STEARNS: Henry, thank you very much.

REP. : I would like to just make one quick comment about the blood problem because during World War II, I was in a life boat filled with people that were dying and bleeding all over the place, and if we had had to face the problem that would exist today, with the AIDS rampant, you are quite right, sir, that there would have been reluctance to help these poor people that were dying one by one.

REP. HYDE: Admiral, I was on an LCT. Now, in your Navy you may never have heard of that. It was a floating bedpan, literally. There were 12 enlisted men in one little, teeny compartment, and the officer on the other side was in a similar compartment, and it was awfully close living. And forced intimacy is hardly the term. And if this element, this source of friction is present, it's going to be awfully tough. And most importantly, it will limit, it will impact negatively on the fulfillment of the mission of the military, which is to be a fighting force to defend our country. That's paramount.

ADM. SPIRO: Mr. Chairman?

REP. STEARNS: Yes?

ADM. SPIRO: May I interpolate just briefly something along the lines of these two gentlemen? I was aboard a little destroyer struck directly by a Japanese kamikaze, and 26 men were killed and 46 were badly wounded, and there was chaos and it was a terrible situation. And had that been complicated by the issues that Mr. Hyde and Admiral Moorer indicated, it would have been intolerable. It was intolerable as it was, as we abandoned ship and the ship was listing and the ammunition was beginning to explode. The complication of HIV virus, blood, and all of these issues would have made it totally intolerable. REP. HYDE: Admiral, Arthur Ashe, a great tennis player, tells us he has HIV from a blood transfusion which he received when he had cardiac surgery. That's got to be on the mind of everybody who is bleeding out there and needs blood. Got to be on their mind. And what will it cost the military when the AIDS cases start piling up and the veterans hospitals start filling up? What will that cost? It will cost the country a great deal.

ADM. SPIRO: And many blood donations are made man to man or person to person under those conditions. You can assure safe blood.

REP. STEARNS: Are there any other questions? Bob?

REP. ROBERT K. DORNAN (R-CA): Gentlemen, Hollywood has over the past 30 years, even before the indecisiveness by political leaders during the Vietnam War, Hollywood for over 30 years has characterized at every opportunity anybody who has achieved flag rank in any of our services as a buffoon, a fool. At best, they would be a lovable fool, like the actor Paul Ford, the late actor who established his whole career playing these lovable doofers who had attained admiral or general rank. They've done the same thing to American businessmen. Charlton Heston waxes eloquently on this because the scripts come across his desk constantly to play inane, greedy, foolish businessmen. The higher you go in police service, they do the same thing. If you're a chief or a commissioner, you're an idiot, except for one show on television now. But they've really concentrated on convincing the American populace, and they've succeeded, now, finally with the younger generation, that the higher you go in rank, the bigger a fool you are.

Now, the American people, I believe, intuitively, particularly older generations, understand that the higher you go in rank in any profession -- medicine, law, engineering, anything -- the more expertise you have, the more acceptance by your peers, and in the military, a severe rating system rating you against your own peers. We all know that the rank of captain in the Navy and colonel in the Marine Corps, Army and Air Force is a big cut area, and men, superior men, and now superior women, because of one career move or just the fact that there aren't enough brigadier slots or rear admiral, lower grade, slots, outstanding people do not make flag rank.

I would appeal to all of you to do what you're doing. Keep pressing. Make America listen to those men and women who have achieved this high rank. And I certainly include the highest ranks of NCOs, which we're going to hear from, which the British have always called the backbone of our service is the petty officer, the sergeant class, because we're not just up against a political problem here. I'm just taking off the gloves. It may be my last two years in Congress for doing this, but I'm taking on the media head-on. They're a disgrace, top to bottom, except for good young journalists who were vets that were hired by the networks to serve in Vietnam under fire, and I don't know what's happened to most of them. None of them have risen to the ranks of anchorman. Where's Don Webster of CBS who was shot 3 times in combat as a get-out-in-the-field reporter instead of one of these jerks who hung around the bar in the Caravel (sp) Hotel -- pure cowards -- that I witnessed there in eight trips to Vietnam as a newsman?

I have not met anybody in the networks. Let them come to me and tell me -- whoever has worn the uniform of our country at the highest ranks, particularly in management. Most of them are, unfortunately -- and I'm trying to think of a nice way to say this -- but he's our President, our Commander-in-Chief -- he's a flower child, Mr. Clinton. And most of these people in the networks are flower children who made the case for a vicious communist enemy -- in Hanoi, the Khmer Rouge that overran Phnom Penh, and all of you that wore the uniform know that. All of these people are working out their guilts, their personal cowardice, and the fact that they sang in the streets of our country, "Ho, Ho, Ho Chi Minh," and pulled for the communist enemy, and never lifted a pinky to win the Cold War. They have no part of this incredible victory over communism that our country seems not to have celebrated, and I still can't figure out the reason why. It may be based in the decency of George Bush trying to give Gorbachev and then Yeltsin some elbow room that we never really let our younger generations know this accomplishment of almost a half a century of crushing this evil that killed more people under communism, far more than under the twelve years of the Third Reich.

So I just want you to keep fighting, and I want you to observe not only this battle that you have in the media, but something else. I'm a stumbling, sinning, practicing, loyal Roman Catholic. And the media is taking my faith -- the Catholic Church, and every orthodox Jewish person, rabbi or not, every fundamentalist, charismatic, evangelical, or loyal Protestant in this country who believes that the words of Leviticus in the Old Testament or Paul's letter to the Romans are as active today as when they were set down to print by scribes. And they are making a case to hate people who believe in traditional values and religion, and it is a personal attack by the networks on my faith, because the Catholic Church stands by these statements, that homosexual actions are intrinsically disordered, and that when you act out homosexual acts, it is an intrinsic moral evil.

And by accepting the language of the homosexual activists, whether it's the adjective -- what used to be an adjective, "gay," which was a propaganda move, -- and I was on the air with a TV show when they started this, to brainwash young people that to be a homosexual was somehow to be happier, more cheerful, more gay, more lively and artistic than the average person, and I notice you all avoided -- and Mr. Hyde corrected himself when he used the word, "gay." There is nothing wrong with the medical word, "homosexual." To shorten it to "homo" may have a cruel ring like shortening Japanese to Jap. It worked during the second World War, it's not considered polite -- it isn't just politically incorrect, it's just not right. But use the word.

I know the media temptation to cut a big, long word -- homosexual -- down to three little typed words -- gay. We must not use this word "gay." I would entreat, as you've entreated us, every person who is serious about this debate, to stop using the words "gay" or "homophobic" or "gay-bashing" or all of this dialogue that the mass media loves that is the dialogue of activist homosexuality. This is an attack upon every value in our country, and I say this in closing.

This is a blessing in disguise. God bless that this thing has come up because we now get to debate, from the Congress down to the smallest little radio talk show in America on a Christian station up in the hills of the Ozark somewhere. We're going to debate this issue that has had a free ride for about 20 years, and with a flower child in the White House, let him learn something he's never learned by never wearing the uniform -- that this is destructive not only to the morale of the military, but the morale of our nation. And it has gone down into grade schools, where we're teaching kids that sodomy is on an equal plane with the holy sacrament of matrimony. The fight's on, and I'm glad. And if it's my last two years, I'm going to be heard in every corner of this country, and the media is our main problem -- the dominant media culture -- not a bunch of gay activists flaunting their private parts in some parade in New York City and San Francisco, and I'll be up there for the St. Patrick's Day Parade. If there's only ten of us in that parade, it's not going to be dominated by General Dinkins and his Sodomites.

Thank you.

REP. STEARNS: Okay, Bob. I'd like all members to limit your statements and questions to three minutes -- (laughter) -- and let me have the ranking member on the Armed Services, Floyd Spence.

REP. SPENCE: Thank you, Mr. Chairman. Gentlemen, you talked a while ago about the practical matter of dealing with these things with -- in the services when you have accommodations and separate facilities and all these kinds of things that we have now. For instance, with the women in the military we have to have separate facilities for bathing and toilets and so forth, sleeping quarters.

What would we have to contend with in separating facilities with homosexuals in the military? Does that mean that you have to have real men taking baths together, real women taking baths together, these other kind of men taking baths together, other kind of women -- they call them lesbians, I think, something like that -- taking baths together? How many different facilities are we going to be able to have, or are we going to just break down all these distinctions and let everybody go at it together -- eliminate separate facilities for men and women, for instance? Real men and women, I mean. How are we going to deal with that?

ADM. SPIRO (?): Mr. Spence, I don't believe any decision, of course, has been made, to my knowledge, and you touched upon very serious issues and problems that will affect the military and the whole population. Those are very serious and practical questions.

ADM. MOORER (?): I'll try to find out, sir, with respect to a ship, which is made out of steel, there's a limit to how many -- how you can compartment and reorient and install new showers, and so on. There's just a limit to what you can do. So I think that this just focuses once more on the importance of preventing this ban being lifted. But you are right. That's exactly where we are headed if it is lifted.

REP. STEARNS: I want to thank, sincerely, the distinguished panel for taking the time to come here. We are honored to have you here. We have two other panelist groups, so I want to ask you, if you would, to stay with us and meet with the members afterwards. We're having a press conference. And again, I want to thank you for coming.