

Flag & General Officers for the Military
1615 L Street, NW, Suite 650
Washington, D.C. 20036

March 3, 2009

Dear General [REDACTED]

We are writing to you about a serious issue that Congress resolved in 1993, but which liberal forces in the current Congress are moving to reverse.

For the past five years, with the help of media and congressional allies, determined activists have been organizing and pushing hard to repeal the 1993 law which declares that homosexuality is incompatible with military service. The law codified military regulations in effect since 1981, which stated clearly that homosexuals are not eligible to serve in uniform. (See enclosed copy.)

Congress approved the law with bipartisan, veto-proof majorities to protect morale and discipline in the armed forces, and federal courts have upheld it as constitutional several times. Unlike polls of civilians, in four annual *Military Times Polls* announced since 2005, approximately 58% of active duty respondents consistently opposed efforts to repeal what the polls referred to as the "Don't Ask, Don't Tell Policy."

When the 2008 survey asked how people would respond if homosexuals were allowed to serve openly, 10% said they would not re-enlist or extend their service, and an additional 14% said they would consider ending their careers. These responses from active duty people are not exact indicators, but they are significant, especially when major efforts are underway to increase the Army and Marine Corps. We cannot afford to lose almost a quarter of the volunteer force, especially among careerists in grades and skills that are not quickly or easily replaceable.

To review recent history, the 1993 statute, known technically as Section 654, Title 10, is the basis for preventing open homosexual behavior in the uniformed services. The law frequently is confused with and mislabeled "*Don't Ask, Don't Tell*." The latter phrase, as you may know, refers rather to a DOD enforcement policy suggesting that homosexuals can serve in the military as long as they do not say they are homosexual. This interpretation incorporates the phrase "sexual orientation," which does not appear in the law.

The policy was formulated in response to President Clinton's direction to the Secretary of Defense to find a way to enable homosexuals who wish to serve to do so. The policy removed the question: "Are you homosexual?" from the uniformed services enlistment application form ("Don't ask"); asserted that open admission of homosexuality or homosexual conduct were a basis for discharge ("Don't tell"); and charged military leaders not to pursue suspected homosexuals without clear evidence of conduct or open admissions. Critics are using attacks on the inconsistent administrative policy, "*Don't Ask, Don't Tell*," to justify repeal of the underlying law, Section 654, Title 10.

To create the appearance of momentum for this bill, activists have been waging an intense public relations campaign for the past five years, trumpeting misleading polls and a statement signed by 104 retired flag and general officers who favor repeal of the law. (See enclosed list.) These officers are entitled to their opinions, but we believe it is time for we who support the 1993 law to make our views known too.

We hope you will join us in signing the enclosed statement addressed to President Barack Obama and members of Congress, affirming support for Section 654, Title 10, and opposing all efforts to repeal the 1993 statute regarding homosexuals in the military.

The situation is fluid, but news reports indicate that Rep. Ellen Tauscher (D-CA) will re-introduce her bill to repeal the law early in 2009, and the advocates of repeal will try to shape the battlefield to their advantage by achieving "consensus" at the Pentagon. We believe that our plan to simply express support for existing law will effectively counter orchestrated media perceptions, and be helpful to both military and civilian officials who also support the 1993 law. Our goal is to help everyone concerned to be prepared for whatever happens in the weeks and months and ahead.

If you are willing to lend your name in support of this effort, please sign the enclosed Statement to the President and Members of Congress, and return it to us in the enclosed stamped envelope. Acting as an informal steering committee with retired colleagues from the other services, we will work this issue on several tracks, both private and public. The Washington, D.C. office of the Center for Military Readiness, an organization that has been at the forefront in combating activist efforts to date, will receive and collate our signed statements of support to President Obama and members of Congress. Based on our subsequent assessment of timing and tactics, the statement and names of signatories will be released at an appropriate time.

Your name and address will not be released or used beyond this effort, but you can expect that your support for this statement will become public when our list is used to counter the one already released by activists who support repeal. Acting as a steering committee, we will use the Flag & General Officers for the Military Statement and our names to good effect in countering the notion that military people generally support or are indifferent to actions that would repeal or invalidate the 1993 law.


If you prefer not to lend your name in support of this effort, no explanation or response is necessary. If you do wish to sign, however, time is short, so please return your signed statement promptly. And if you know other senior officers whom you believe would want to lend their names, please advise us of their names and addresses with your return and we will get a letter off to them.

Thank you for your willingness to help in this important effort.

Sincerely,



Gen. James J. Lindsay, USA (Ret.)
(910) 245-3052



Gen. Carl W. Stiner, USA (Ret.)
(423) 871-0029

Flag & General Officers for the Military

Statement to: The Honorable President of the United States and Members of Congress

Subject: Support for the 1993 Law Regarding Homosexuals in the Military
(Section 654, Title 10)

Dear Mr. President and Members of Congress,

In 1993 Congress passed a law (Section 654, Title 10), affirming that homosexuality is incompatible with military service. The law passed with bipartisan, veto-proof majorities in both houses, and federal courts have upheld it as constitutional several times.

We believe strongly that this law, which Congress passed to protect good order, discipline and morale in the unique environment of the military, deserves continued support.

The 111th Congress is likely to take up legislation to repeal the law (Section 654, Title 10) early in 2009. Our past experience as military leaders leads us to be greatly concerned about the impact of repeal on morale, discipline, unit cohesion, and overall military readiness. We believe that imposing this burden on our men and women in uniform would undermine recruiting and retention, impact leadership at all echelons, have adverse effects on the willingness of parents who lend their sons and daughters to military service, and eventually break the All Volunteer Force.

As a matter of national security, we urge you to support the 1993 law regarding homosexuals in the military (Section 654, Title 10), and to oppose any legislative, judicial, or administrative effort to repeal or invalidate the law.

Very respectfully,

Signed: _____

Printed Name and Rank

Military Service (Retired)

Note:

The Flag & General Officers for the Military project is being coordinated by the Center for Military Readiness, an independent, 501(c)(3) non-partisan public policy organization founded in 1993. CMR advocates high standards and sound priorities in the making of personnel policies affecting military men and women. Flag and general officers signing this letter hereby give permission to the Center for Military Readiness to convey the statement to the President and members of Congress, and to release the statement and the names of persons endorsing it to the public at an appropriate time. More information on this subject is available at www.cmrlink.org.