



CMR Notes

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“Employment” of Women in the Infantry Belies Official Denials

NEW ARMY POLICY ON WOMEN IN LAND COMBAT: *ALMOST ANYTHING GOES*

Precedents and Misconduct Threaten Iraqi Training Mission

ARMY ASKING FOR TROUBLE

Americans tend to forgive the human failings of courageous men and women who volunteer to serve in the military. There is no excuse, however, for Pentagon officials and members of Congress who are knowingly tolerating illicit policies that are an international scandal in the making.

Sources have informed the **Center for Military Readiness** that predictable sexual misconduct already is occurring in land combat-located support units that used to be male only. And conditions for an international incident comparable to **Abu Ghraib** are being created in **Military Transition Teams (MTTs)**, which are critically important in short- and long-term plans to bring American troops home from Iraq.

Tensions are rising, but reporters who are scarce in Iraq are not asking questions. Even if they did, local commanders and combat soldiers are reluctant to discuss sexual misconduct and pregnancies that are occurring in storied

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Army officials are risking the loss of public confidence and trust by recklessly disregarding policy and law on women in land combat.

The Center for Military Readiness has learned that in a **combined arms battalion (CAB)** that is currently deployed in **Iraq**, at least one female soldier, a mechanic, was illegally placed in a short-handed infantry company. The soldier was one of several women “employed” in **forward support companies (FSCs)** embedded or “collocated” with the **direct ground combat (DGC)** battalion.

The uncontested order was given in clear violation of current Defense Department regulations, set forth in 1994 and still in effect. Direct ground combat units below the battalion level—such as the infantry, armor, Special Operations Forces and Marine infantry, are required to be all male. Support units that “collocate” or embed with them 100% of the time also are coded for men only under the Department of Defense (DoD) collocation rule.

There is no question that these unambiguous rules apply to the **3rd Battalion of the 8th Cavalry Regiment**, known as the **3-8**, which is based at **Fort Hood TX** and historically was part of the **1st Cavalry** prior to modular re-organization. Nevertheless, with the knowledge of battalion commanders and all of the CAB’s 770 soldiers, a female mechanic was ordered into an infantry company, which was short-handed due to combat and non-combat injuries, unplanned evacuations and previously scheduled leaves.

“Employment” of the female soldier in or collocated with the combined arms battalion also puts the Army in violation of a law mandating congressional oversight. The Secretary of Defense must approve proposed changes in regulations affecting female soldiers, and provide formal notice to Congress 30 legislative days (approximately three months) in advance. No such notice has been given.

The female soldier was recently evacuated for health reasons, but unless something is done more women will be ordered (not allowed) to take the place of infantrymen in “tip of the spear” maneuver battalions, in blatant violation of

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ANYTHING GOES *(Continued from page 1)*

policy and law. Everyone deployed to Iraq or Afghanistan is serving “in harm’s way,” but nothing about the current war, including the need for self-defense under fire, has changed the missions of direct ground combat troops.

Infantry, armor, Special Operations Forces and Marine infantrymen attacked and liberated **Baghdad** in 2003, and **Fallujah** in November 2004. Collocated forward support company soldiers do not attack the enemy with deliberate offensive action, but they do provide logistics, mechanical repair, food service, and other types of constant support to infantrymen and other direct ground combat troops.

As we are starting to see in this war now, collocated FSC soldiers frequently are ordered to take the places of infantrymen lost or evacuated during a war. All must be prepared to evacuate a fully loaded male infantry soldier wounded in battle—on their own backs, if necessary.

When other nearby soldiers are busy firing back at the enemy, the single man carry is a lifesaving function for which there is no substitute. Female soldiers are brave, but no one’s son should have to die because Army officials or field commanders violated policy and law by substituting women for men in positions required to be all male.

Truth: The First Casualty in War

During the ongoing process of radical, incremental “employment” policy changes without authorization or notice to Congress, Army officials have repeatedly and dishonestly denied that anything has changed. On a **Public Radio International (PRI)** radio program aired on February 12, for example, **Lt. Col. Bryan Hilferty**, an official spokesman for the Army, equivocated with this statement: “*We are clearly following the law and clearly following DoD Policy.*” But “following” policy and law is not the same as “*complying*” with policy and law.

On February 8, PRI reporter **Katy Clark** questioned Lt. Col. Hilferty about the Army’s compliance with the Department of Defense “collocation rule,” asking him to comment on this statement from CMR President Elaine Donnelly:

“The Army (and Pentagon overall) are trying to pretend the co-location rule doesn’t exist. What they’re doing, it’s a matter of semantics and sophistry. Female soldiers are being assigned to the brigade level, which is legally open to them. But they’re being physically placed or employed in areas that are required to be all male.”

Lt. Col. Hilferty sidestepped with this reply:

“Clearly female soldiers just like male soldiers are in combat in Iraq and Afghanistan. Clearly women and male soldiers are assigned to units and positions in which they have to do combat action, to defend themselves or their units from attack....

On the contrary, nothing in the current war—including the presence of anarchists, roadside bombs (IEDs), and the need for self-defense—has changed the definition or mission of direct

ground combat (DGC) troops.

All soldiers deployed to Afghanistan and Iraq are serving “in harm’s way,” but direct ground combat troops, such as the infantry, engage the enemy with deliberate offensive action under fire. Lt. Col. Hilferty surely knows the difference, but he continued to spin the story:

“The moment women were rightfully so allowed to join the army they were going to be in combat. Soldiers by definition are involved in combat.... What women are excluded from is positions in units whose principal mission is direct ground combat, infantry, special forces, field artillery types of things. They have been excluded from those positions and at this time there’s no plan to change that.” (Emphasis added)

Lt. Col. Hilferty’s irresponsible statement, which does not even mention the collocation rule, confirmed Donnelly’s point exactly. The Army is pretending that the regulation simply does not exist. But it does.

Who is In Charge?

Even if the Army were not ordering women into infantry and other DGC units “*at this time*,” Col. Hilferty’s assurances are meaningless. Given current illicit practices, which have been tolerated by members of Congress and by **President George W. Bush**, there is nothing to stop the Army from disregarding women’s remaining exemptions from the infantry and other direct ground combat units.

President Bush, who said in 2005 that he opposed women in land combat, continues to look the other way, even though generals and Pentagon appointees have betrayed his trust. And members of Congress debating non-binding resolutions and measures to micro-manage the war have been derelict in their duty to enforce existing laws mandating oversight on an issue of great importance to military men and women. If this is part of a long-term strategy to turn Americans against the war, it is a cynical and destructive one.

Dissembling Disguises Unauthorized Decisions by Default

Substituting “truthiness” for truth, Army officials are continuing to deny what soldiers in the field already know. The deception began with an Army briefing dated **May 10, 2004**, which was obtained and exposed by the Center for Military Readiness.

The May 10 briefing admitted that the practice of administratively “assigning” female soldiers to the legally open brigade level (on paper only), while physically placing them in forward support companies “attached” to infantry/armor maneuver battalions, could be seen as “subterfuge” to circumvent the collocation rule and the notification law. Several **Brigade Combat Teams (BCTs)** are now implementing this practice, which depends on the fiction that maneuver battalions are all-male because gender codes have not been changed in tables of organization. This is more than subterfuge; it is betrayal.

In the same briefing the Army also claimed that it could operate under its own rules, which are supposedly separate from Defense Department regulations. But the obsolete 1992 regulation cited (**AR 600-13**) included a “**Risk Rule**,” which ex-

empted female support soldiers from areas involving a “substantial risk of capture.”

Defense Department regulations issued in 1994 superceded the Army rule, and abolished a similar “Risk Rule” in DoD regulations. The Army cannot recognize one part of an obsolete rule, while ignoring the other, just for the sake of expediency.

Needed: Truth in Recruiting Practices

There is little evidence that Army officials have considered the short- and long-term consequences of their current unlawful course. All Americans, and especially the parents of potential recruits, should take note—and beware.

It is wrong to mislead young women about the conditions of their “employment” in the Army. For more than two years Pentagon appointees and generals have been trying to arrogate for themselves power to send other people’s daughters into or near direct ground combat—anywhere, anytime, even if it elevates risks for other people’s sons, undermines combat missions, and makes military life more difficult and dangerous.

At a minimum, warnings that the Army does not consider itself subject to Defense Department regulations in this matter should be posted in recruiting offices. Publications nationwide should inform parents and potential recruits that life-and-death rules affecting female soldiers are subject to change without advance notice, despite the congressional notification law.

Civilian girls and their parents also should be informed of what is going on. The same notification law requires an analysis of proposed rule changes on young women’s exemption from **Selective Service** registration on the same basis as men. No such analysis has been provided to Congress.

This is no small matter, since the **Supreme Court** has ruled that young women do not have to register with **Selective Service** because they are not used as replacements for men lost in direct ground combat. If the Army succeeds in abolishing the rules by simply disregarding them, another lawsuit challenging women’s exemption, brought by the **ACLU** on behalf of men who must register, would probably succeed.

President George W. Bush has the obligation to enforce the congressional notification law, and to hold everyone responsible—the Secretaries of Defense and the Army, the Joint Chiefs of Staff, and CENTCOM commanders—accountable for DoD regulations and law.

Instead of putting unquestioning trust in generals and Pentagon officials in all matters, President Bush and members of Congress need to ask why troops have become so scarce that it is necessary to send young women and mothers to fight the war in battalion-level units that are required to be all male. Defense Department and Army personnel management officials who allowed this to happen should be reassigned or fired.

To remedy shortages, the President should order the Army to scrap gender-based recruiting quotas, which attract single mothers and keep the numbers of female soldiers artificially high. President Bush also should issue a personal call to young men, asking them to consider volunteering for the combat arms.

The Bush Administration has pushed the feminist agenda long and far enough. For the sake of military women as well as men in the combat arms, illegal practices involving women must be brought to an end.

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combat units for the first time in history. It is a lose-lose situation, foisted upon them by higher-ups who have failed to make logical, responsible decisions on anything to do with women.

The following incidents, as described to CMR by confidential sources, are harbingers of potentially explosive conditions that are sure to worsen every week they are allowed to continue:

Sexual Misconduct and Pregnancy

In the spring of 2004 the **3rd Infantry Division**, based at **Fort Stewart, GA** and reorganized into modular **Brigade Combat Teams (BCTs)**, began the notorious practice of administratively “assigning” female support troops in legally open units while physically placing them in support units embedded with infantry/armor battalions. Now CMR has learned that at least one of the land combat-collocated companies in question is dealing with a problem unprecedented in its history: the need to evacuate pregnant soldiers.

Elsewhere in Iraq, an experienced combat soldier has observed and reported similar demoralizing problems:

“The line between the FSC [forward support company] and our infantry battalion has completely broken down. Females from the FSCs are being attached to all male infantry and armor companies with no regard whatsoever.

“Interestingly, this same FSC is now having its first sergeant and one of its senior NCOs fired over sexual misconduct. This is a pretty tremendous shock for a company and it will definitely shake, if not ruin, the confidence in the company’s chain of command for the foreseeable future...Those of us who are combat arms officers are not envious of the FSC commander’s job, who has to hold his company together after his first sergeant has been taken down. We are very glad that we do not have to weather such a command environment.”

In another message, the soldier described what happened in a **Civil Affairs (CA)** team that employed a female captain to work closely with Iraqi leaders:

“The female CA captain was sleeping with all of the powerful local Iraqi contacts. She compromised her mission and her team. She was removed from her disgraced team and replaced. Who knows how much classified information she could have given away. At the very least, her team was unable to do its job.”

Secretary of Defense **Robert Gates** and members of Congress should investigate and objectively consider the implications of this incident. The sharing of operational plans with Iraqis of questionable loyalty could increase security problems and risks for all coalition troops, including brave Iraqis who are training to fight for their country. The threat is especially worrisome when American troops are working in small teams to train male Iraqis in close combat skills.

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Trouble with a Capitol “TT”

Advocates on all sides of the Iraq war debate agree that the Iraqis should be trained and prepared to assume more responsibility for their own defense. **Military Transition Teams (MiTTs)**, sometimes called **Mobile Training Teams (MTTs)**, are key to the success of this effort. These 11-15 man teams are composed of commissioned and non-commissioned officers and Marines with ground combat leadership experience.¹

MTT trainers are embedded with Iraqi units for a year. They teach combat tactics and skills so that Iraqis can assume responsibility for defending their own country. Specialized Army MTT training, which is considered career enhancing for volunteers, takes place at **Fort Riley, KS**. Other soldiers have been involuntarily assigned to MTTs from battalions operating in Iraq or Afghanistan, without special training at Fort Riley.

In an interview with *Army Times*, **Brig. Gen. Dana Pittard** spoke very frankly about the importance of sending the right type of soldiers for this important job. As he put it, “*Only combat vets who inspire confidence need apply*” (Dec. 4, 2006)

Given the closeness of the MTT relationship, and the fact that Iraqi units are usually poorly equipped and under attack constantly, MTT personnel who teach direct ground combat skills are required to be all male (*Army Times*, Feb. 6, 2006). Indications are, however, that some women may have been ordered into a land combat MTT composed of soldiers already deployed in Iraq. Given the Army’s reckless disregard for regulations affecting women, this situation must be investigated and ended before volatile conditions ignite.

It is difficult enough to train new Iraqi combat troops, without forcing men of that culture to accept and embed with female soldiers. Iraqi trainees respect all Americans, including our female soldiers, but MTTs are *combat* schools, not *charm* schools.

MTT commanders should not have to deal with social tensions that often develop between male and female soldiers—on either end of the sexual harassment/romantic involvement spectrum. Nor should MTT missions be complicated by immeasurable, unprecedented cultural problems. Social tensions and incidents of international misconduct are likely to distract MTT personnel, destroy bonds of trust, and seriously undermine efforts to “stand up” more Iraqi combat battalions.

Male Iraqis have been raised in a culture that will not permit forced intimacy with women in combat training teams. The task of teaching more “enlightened” attitudes reflecting western norms, which could prove more difficult than building a representative government in Iraq, is beyond the critical mission of MTT soldiers.

It is easy to see turmoil and additional danger developing here—no crystal ball required. Anarchists out to destroy the constructive mission of MTT units could easily use cultural prejudice against women and the West to alienate male trainees who abjure obedience to women.²

Treacherous anarchists will do anything to exploit sexual misconduct by American soldiers for propaganda purposes. The U.S. Army is only a photograph away from an explosive scandal far worse than Abu Ghraib.

President Bush, Defense Secretary Gates, and members of

Congress should intervene to restore common sense and compliance with policy and law. Struggling Iraq is no place to conduct volatile social experiments with male troops of another culture who are interested in survival, not sensitivity training. **CMR**

ENDNOTES

1. There are several different types of these units, and some female soldiers have been trained and located at the Forward Operating Base (FOB) level, in support roles only. It would make sense for American women to train Iraqi women to perform security searches of female civilians, but it is difficult to determine if this is being done.
2. The size of this cultural divide was visible in ceremonies to hand over security responsibilities to Iraqi police and soldiers in Najaf province in December 2006. There were warriors on horseback, martial arts demonstrations and, at one point, the tearing apart and eating of a live rabbit by Iraqi soldiers. “*The leader bit out the heart with a yell, and passed the blood-soaked remains to comrades, each*

ZOGBY SPINS POLL PROMOTING GAYS IN THE MILITARY

Every four to six weeks, homosexual activist groups have generated some sort of “news” event to promote the cause of homosexuals in the military. Time and again the *New York Times*, *Washington Post* and other news organizations fall for the ongoing public relations campaign. A favorite technique is to periodically release various “studies” or polls produced or sponsored by the University of California Berkeley-based **Center for the Study of Sexual Minorities in the Military (CSSMM)**, now called the **Michael D. Palm Center**, and other groups. A closer look at materials highlighted in the P.R. campaign usually reveals questionable methodology and unsupported conclusions that are not what they seem.

The “Comfort” Question

In January 2007 retired Army **Gen. John M. Shalikashvili**, former Chairman of the Joint Chiefs of Staff (1993-1997), wrote an op-ed for publication in the *New York Times*, a newspaper that has been in the forefront of efforts to repeal the 1993 homosexual conduct law.¹ The general’s article drew attention to a December 2006 poll of 545 servicemembers done by **Zogby International**, indicating that **73%** of the respondents were “*comfortable interacting with gay people*.” That question was about as serious as one about daytime talk shows: “*Would you rather watch Ellen DeGeneres’ show or Rosie O’Donnell on The View?*”

The only surprising thing about this innocuous question is that the favorable percentage was not closer to 100%. But the “comfort” question was not the key issue polled by Zogby.

- The key question asked of survey respondents was, “*Do you agree or disagree with allowing gays and lesbians to serve openly in the military?*” On that question, **26%** of respondents agreed, but **37% disagreed**. The poll also found that **32%** of respondents were “Neutral,” and only **5%** who said they were “Not sure.”

- If this poll is considered representative of military personnel, the **26%** of respondents who want the law repealed cannot compete with the combined **69%** of people who are opposed or neutral on repeal. This is hardly a mandate for radical change. No wonder it wasn't mentioned in the Zogby news release. (Dec. 18, 2006)

Military Knows Best

Polling organizations recognize that respondents who believe a policy is already in place are more likely to favor that policy, while those who know otherwise are less likely.²

Constant but incorrect assertions that "*homosexuals can serve in the military provided that they do not say they are gay*" are probably skewing polls of civilians, who mistakenly believe that homosexuals are eligible to serve. People in the military, however, are more likely to understand what the law is.

A March 2005 **Gallup Poll** showed that **79%** of Americans supported allowing gays to serve openly in uniform. But an annual **Air Force Times** poll of servicemembers announced in January 2005 showed that only one in four military respondents supported such a move.

In the most recent poll announced by the **Military Times** newspapers, in answer to the question "*Do you think openly homosexual people should be allowed to serve in the military?*" **30%** said Yes, but **59%** said No, **10%** having No Opinion. The same percentage, **59%** in opposition, was reported by the *Military Times* survey in 2006 (*Army Times*, Jan. 8, 2007).

A closer look at the Zogby poll reveals more interesting details that should have been recognized in news reports:

- The Zogby poll news release clearly states that it was designed in conjunction with **Aaron Belkin**, Director of the Michael D. Palm Center, formerly the Center for Study of Sexual Minorities in the Military (Dec. 18, 2006). This is an activist group promoting homosexuals in the military.
- The poll claims to be of 545 people "*who have served in Iraq and Afghanistan (or in combat support roles directly supporting those operations), from a purchased list of U. S. Military Personnel.*" But the U.S. military does not sell or provide access to personnel lists. Due to security rules that were tightened in the aftermath of **9/11**, personal details and even general information about the location of individual personnel are highly restricted.
- Apparent absence of random access undermines the credibility of the poll, even though the news release makes the inflated claim, "*The panel used for this survey is composed of over 1 million members and correlates closely with the U.S. population on all key profiles.*"
- Activists frequently claim that the greater comfort of younger people with homosexuals is evidence enough to justify changing the law. If that were the case, all referenda banning same-sex marriage would have been soundly defeated. On the contrary, the voters of several states have approved **27 of 28** such referenda, often with comfortable majorities.³

Activists Should Not Be Allowed to Win

Ideologues who want to repeal the homosexual conduct law are determined to impose the gay agenda on the military. This would include the full range of benefits and "sensitivity training" programs to promote acceptance of the homosexual lifestyle and conduct. (*Washington Times*, Feb. 10, 1993)

President George W. Bush is obligated by the U.S. Constitution to enforce all laws, but he is not required to retain administrative regulations written by his predecessor, **Bill Clinton**. This includes policy regulations known by the catch phrase "**don't ask, don't tell.**"

Problematic inconsistencies between Clinton's enforcement regulations and the 1993 homosexual conduct law create an advantage for activists who want to repeal both. To ensure that the intent of Congress is carried out with regard to homosexuals in the military, the Secretary of Defense should:

- Improve understanding and enforcement of the law by eliminating the Clinton Administration's policy/regulations, known as "don't ask, don't tell," which are inconsistent with the 1993 law that Congress actually passed. (P.L. 103-160, 10 US Code, Section 654)
- Oppose any legislative attempt to repeal the 1993 homosexual conduct law in Congress.
- Ensure that the 1993 statute is vigorously defended every time it is challenged in the federal courts.
- Prepare and distribute accurate instructional materials that include the text and legislative history of the 1993 law.

In doing these things the President and Secretary of Defense should not apologize or be intimidated by civil rights analogies and pejorative accusations. The law deserves support because it respects the human desire for modesty and privacy in sexual matters, in the interest of encouraging good order and discipline. As columnist **Thomas Sowell** wrote in 1993, "*Military morale is an intangible, but it is one of those intangibles without which the tangibles do not work.*"

For the sake of civilian institutions as well as the military, homosexual activists should not be allowed to impose their agenda on the armed forces. All Americans can serve our country in some way, but not everyone is eligible to serve in the military.

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ENDNOTES

1. "Second Thoughts on Gays in the Military," Jan. 2, 2007.
2. Report of the **Presidential Commission on the Assignment of Women in the Armed Forces**, Commissioner Generated Finding 14, p. C-135, referencing civilian and military surveys done by the **Roper Organization, Inc.**, for the Commission, September 1992.
3. **David E. Smith, Illinois Family Institute**, Nov. 8, 2006.

President's Comments

by Elaine Donnelly



You Read It Here First

This edition of *CMR Notes* reports eye-opening news that major media organizations have somehow missed. News organizations covering the war in Iraq and Afghanistan seem strangely uninterested in the impending consequences of incremental changes being made by default, in violation of policy and law. Radical changes in Iraq are already affecting every man and woman in the military, and might eventually change the Selective Service status of civilian women as well. *Hello?*

The pattern of selective reporting on this story is unfortunate, but not surprising. An unprecedented social experiment is unfolding in the midst of a war. But problems with this ongoing, unauthorized test do not fit the favored template. Female soldiers and Marines are supposed to be interchangeable with men in the combat arms, and anyone who questions that belief is, as they say, "*against women in the military.*" In recent months I have been inaccurately described in this way by three news organizations. (*Navy Times*, the *Berkshire (MA) Eagle*, and Public Radio International). Corrections for the record usually are not possible.

Admiration for women in the military, which I share with most Americans, does not justify unquestioning support for policies that are harmful to both women and men. Previous Army surveys have shown that more than **80%** of enlisted women do not want to be ordered into all-male land combat units on the same basis as men. Why are their views not being respected?

President George W. Bush and Pentagon officials should not be sanguine about silence on the media front. That will change overnight when signs of social problems, which are already happening, become too visible to ignore.

No one should forget that the catastrophic scandal at Abu Ghraib prison began with unrestrained sexual misconduct between two undisciplined soldiers, **Spec. Charles Graner, Jr.**, and **Pfc. Lynndie England**. According to several investigative reports, the two ignored three reprimands for sexual misconduct during the summer of 2003. By November, the infamous 20 year-old "leash girl" allowed Graner to photograph themselves in indecent acts, which were followed by lewd photos of themselves and others abusing Iraqi prisoners. Indiscipline ignored or condoned by superiors can become progressively worse.

Images from Abu Ghraib that horrified the world were not representative of American soldiers, and incidents like that may never happen again. It is not realistic to assume, however, that commanders of mixed-gender land combat battalions can or should be expected to perfectly manage flawed human beings in stressful conditions that *encourage* social tensions and misconduct. With so much at stake, President Bush, Congress, and the media need to pay attention. They can choose to do nothing about illicit policies in the Pentagon and misconduct in the field, but history will hold them accountable for the results. ■

CMR ACTIVITIES:

- The past six weeks have been largely dedicated to a major project that will benefit CMR immeasurably. A major university asked Elaine Donnelly to write a detailed law journal article, which covers the full spectrum of issues important to CMR. The lengthy manuscript, which is currently undergoing peer review, is supported by hundreds of footnotes from a wide array of sources and background information. The editing process will continue through April—watch for future developments.
- The **2008 Presidential Campaign** is well underway, with an historic number of candidates competing for early advantage. In previous elections the Center for Military Readiness has conducted a non-partisan **CMR Presidential Sur-**

vey of candidates for the nomination of both major parties. In the past we have submitted the surveys and reported on the results just before the early caucuses and primaries. The selection process has been greatly accelerated, however, so CMR will ask specific questions of the candidates sooner rather than later.

Inquiries on the Presidential Candidate Survey are sure to include the status of uniformed women in or near direct ground combat, and co-ed basic training. CMR will also ask candidates to state their position on the 1993 law banning homosexuals from the military, which we support, and the problematic Clinton-era enforcement regulations, known as "don't ask, don't tell," which we do not support. Extensive information on this and related issues is available at www.cmrlink.org. ■

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