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# SEXUAL ORIENTATION AND U.S. MILITARY PERSONNEL POLICY

An Update of RAND's 1993 Study

National Defense Research Institute

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# Preface

In his January 27, 2010, State of the Union address, President Barack Obama announced that he would work with Congress to repeal 10 U.S.C. 654, the law commonly known as "Don't Ask, Don't Tell" (DADT).[1] On February 2, 2010, Secretary of Defense Robert Gates, in testimony before the Senate Armed Services Committee (SASC), announced that he had established a high-level working group within the Department of Defense (DoD) to review the issues associated with properly implementing a repeal of the DADT policy.[2] He also stated that, in response to a request from the chairman of SASC, Senator Carl Levin, and the ranking member, Senator John McCain, he would ask the RAND Corporation to update its 1993 study, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment.*[3]

RAND's update of the 1993 study is documented in this report. It provides information and analysis required to structure the issues relevant to ending discrimination on the basis of sexual orientation in determining who may serve in the U.S. armed forces and to do so in a manner that is practical, realistic, and consistent with the high standards of combat effectiveness and unit cohesion that U.S. forces must maintain. An overview (Chapter One) provides a synthesis of the entire study and serves as a road map pointing the reader toward the 12 substantive chapters and associated appendix.

The research was sponsored by the Office of the Secretary of Defense (OSD) and conducted by a multidisciplinary team of researchers within the Forces and Resources Policy Center of the RAND National Defense Research Institute, a federally funded research and development center sponsored by OSD, the Joint Staff, the Unified Combatant Commands, the Department of the Navy, the Marine Corps, the defense agencies, and the defense Intelligence Community.

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[1]  Public Law 101-160 (November 30, 1993), codified at United States Code, Title 10, Subtitle A, Part II, Chapter 37, Section 654, Policy Concerning Homosexuality in the Armed Forces.

[2]  Senate Armed Services Committee, *Defense Authorization Request For Fiscal Year 2011; The Future Years Defense Program; The 2011 Quadrennial Defense Review (QDR); The 2011 Ballistic Missile Defense Review (BMDR); The "Don't Ask, Don't Tell" Policy*, Washington, D.C., February 2, 2010.

[3]  RAND Corporation, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment*, Santa Monica, Calif., MR-323-OSD, 1993.

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# Summary

In his January 27, 2010, State of the Union address, President Barack Obama announced that he would work with Congress to repeal the law commonly known as "Don't Ask, Don't Tell" (DADT). Secretary of Defense Robert Gates established the Comprehensive Review Working Group within DoD to review the issues associated with properly implementing repeal. He also announced that in response to a request from the chairman of the Senate Armed Services Committee, Senator Carl Levin, and the ranking member, Senator John McCain, he would ask the RAND Corporation to update its 1993 report, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment*. The committee requested RAND to supplement or modify the report with current information and data that would be useful to them in considering any change to DADT.

RAND's update addressed four key issues:

- How has the environment changed within and outside the military over the 17 years since the inception of DADT?
- How might repeal of DADT affect military readiness and effectiveness, such as recruitment and retention, unit cohesion, and force health?
- What do military personnel, including currently serving gay men and lesbians, think about repeal?
- What has been the experience of other institutions in which gay people currently serve, work, and study?

## The Environment Within and Outside the Military in 2010

We examined the way in which DADT was implemented; changes in U.S. society; and trends in U.S. public opinion about allowing gay men, lesbians, and bisexuals to serve in the military without restriction.

**Implementation of DADT**

The military now has 17 years of experience working with the DADT policy. The ambiguity in the initial DoD directives implementing the policy provided space for different interpretations of how it should be implemented, including the government's ability to recoup funds from gay service members who were separated after making a statement concerning their sexual orientation and the intent of such a statement; the quality and extent of training; and standards for investigations and guidelines for addressing issues of harassment.

The issues in the DADT debate have shifted over time. In 1993, the arguments for DADT focused on how excluding gay individuals from serving in the military would preserve unit cohesion and performance, as well as privacy. In 2010, those who oppose repeal continue to use these arguments. Individuals favoring repeal initially focused their attention on how DADT was being administered by DoD. When debate about DADT resumed in 2004, the pro-repeal group refocused on Congress and legal challenges to the constitutionality of the DADT ban. In addition, they argue that DADT itself has a negative effect on readiness and cohesion.

Implementation of DADT has also changed. Since 2001, discharges of service members based on sexual orientation have declined sharply. There has been considerable disagreement about how the wars in Afghanistan and Iraq might be affecting the implementation of DADT.

**Changes in U.S. Society**

Since 1993, gay people have become more visible in the workplace and in the everyday lives of Americans. Public opinion about gay men and lesbians has become substantially more positive. Polls now show that more than half of Americans are accepting of gay people, and nearly 90 percent agree that gay individuals should have equal rights in job opportunities.

Polling data also show an increase in those who favor allowing gay people to serve in the military, as shown in Figure S.1. This pattern of increased acceptance is consistent across polling organizations using differently worded questions.

New surveys have helped us estimate the numbers of gay men and lesbians in the general population and serving today. Based on data from the National Longitudinal Study of Adolescent Health, RAND estimated that the percentage of gay men in the military (2.2 percent) is slightly less than the percentage of gay men in the civilian population in the same age group (3.2 percent). Lesbians serve in the military at disproportionately high rates (10.7 percent in the military compared with 4.2 percent in the civilian population). Newer studies also show that gay people disclose their sexual orientation selectively to those who they think will be accepting. Overall, research has shown that people make reasoned judgments about whether to disclose their sexual orientation in a given situation, based in part on their assessment of the likelihood of a positive versus negative response.

**Figure S.1**
**Change in Attitudes Toward Gay Men and Lesbians Serving *Without Restriction* in the Military**



SOURCE: Roper Center iPOLL Databank.

[a] The wording used by NBC News/*Wall Street Journal* in April 1993 was, "Do you favor or oppose allowing openly gay men and lesbian women to serve in the military?" The wording used by Gallup in May 2010 was identical.

[b] The wording used by PSRA/*Times Mirror* in July 1994 was, "(I'd like your opinion of some programs and proposals being discussed in this country today. Please tell me if you strongly favor, favor, oppose, or strongly oppose each one.) . . . Allowing gays and lesbians to serve openly in the military." The wording used by the Pew Research Center for the People & the Press/Pew Forum on Religion & Public Life in July 2010 was, "All in all, do you strongly favor, favor, oppose, or strongly oppose . . . allowing gays and lesbians to serve openly in the military?"

[c] The wording used by ABC News/*Washington Post* in May 1993 was, "Do you think homosexuals who do publicly disclose their sexual orientation should be allowed to serve in the military or not?" The wording used by ABC News/*Washington Post* in February 2010 was identical.

[d] The wording used by CBS News/*New York Times* in February 1993 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting homosexuals to serve in the military?" The wording used by CBS News/*New York Times* in February 2010 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting gay men and lesbians to serve in the military?"

**RAND** *MG1056-S.1*

Studies have also shown that disclosure of personal information leads to trust and to better interpersonal relationships; not disclosing can interfere with mental health. Thus, gay people who are free to disclose their sexual orientation are likely to have better psychosocial well-being and more trusting relationships with their peers.

## Issues of Concern

Concerns have been expressed that allowing gay men and lesbians to serve in the military without restriction would affect military readiness and effectiveness by making recruitment and retention more difficult, eroding unit cohesion, and posing threats to the health of the force.

### Recruitment

To estimate how repeal of DADT might affect recruitment, we used data from a DoD tracking survey at two points in time—spring (April–June) and summer (July–September) of 2010. The survey asked youth and young adults about their intentions to join the military and how they thought repeal of DADT would change those intentions. We applied the historic enlistment rates for respondents in each intention category and then used the result to project the number of enlistments per 100 young adults.

The projected impact of repealing DADT is very uncertain. Based on responses from the spring 2010 survey, we estimate that repeal might cause a 7-percent drop in enlistment. Based on responses from the summer 2010 survey, we estimate a 4-percent increase in enlistment. Despite this uncertainty, we can be reasonably confident that any effect would be small. In addition, other countries report that the sizable decline in recruitment predicted in surveys of military personnel prior to removing restrictions on service of gay members did not in fact occur.

### Retention

To estimate how repeal of DADT might affect retention, we examined the responses to the retention-related questions in the 2010 DoD survey of military personnel. The DoD survey asked respondents if they planned to stay in the military and how their retention plans would change if DADT were repealed. About 10 percent of active-duty personnel said that they were not planning to leave when their obligation ends but would leave sooner if DADT were repealed, but under 6 percent also said that DADT repeal was more important than any of their top three reasons for staying. We do not know how many of the latter group will actually leave sooner, but we can assume that they are the group most likely to leave because of repeal.

The percentage of personnel identified as most likely to leave ranged from 2 percent among those in Coast Guard nonoperational occupations to over 12 percent among Marines in combat arms occupations. If repealing DADT does in fact result in lower retention, the drop could be offset by increases in reenlistment bonuses, military pay, and allowances, just as many of the negative effects of frequent long and hostile deployments in the Army in 2005 and 2006 were offset.

**Unit Cohesion and Performance**

Research since 1993 continues to support RAND's earlier finding that the performance of a group influences its cohesion more than cohesion influences its performance. Studies also suggest that interpersonal liking is not essential to effective unit performance; what is important is shared commitment to the unit's task-related goals. Personal trust in one's comrades is distinct from personal liking, and professionals can develop this kind of trust rapidly in intense performance situations. Cohesion in combat stems not from shared values and attitudes but from the shared danger of combat.

Our research suggests little reason to expect that ending DADT would produce any notable deterioration in unit performance. This conclusion is borne out by the experiences of military and other organizations that have adopted nondiscrimination policies.

**Health of the Force**

Due to improved testing and treatment and DoD's testing policy, rates of HIV infection in the military are unlikely to show a significant increase if currently serving gay men and lesbians were able to disclose their sexual orientation—even if the number of gay military members were to increase. Depression, anxiety, binge drinking, and substance abuse are more common among gay individuals but are unlikely to substantially affect readiness, given the overall prevalence of behavioral health problems in the military and the small percentages of gay service members.

## Opinions of Military Personnel

To understand the perspectives of military personnel about potential repeal of DADT, we conducted 22 focus groups at ten military installations. We also surveyed serving gay personnel using a peer-to-peer survey technique. Neither the focus groups nor the survey of serving gay personnel is statistically representative of the force; however, they do provide valuable information that can help guide implementation if DoD decides to remove restrictions on known gay individuals serving in the military.

Focus group members displayed virtually no hostility toward gay service members. Many participants said that they knew gay men and lesbians who were serving and respected their contributions to the unit. Focus group members had diverse opinions about allowing gay personnel to serve without restriction but agreed that the military could rise to the challenge.

The majority of gay men and lesbians who responded to our survey reported that they do not talk about their sexual orientation. However, they also reported that many unit members already knew that there was a gay service member in the unit.

The respondents expect their own behavior to change noticeably if DADT were repealed (Figure S.2). About half of those now hiding their orientation would disclose

**Figure S.2**
**Disclosure of Sexual Orientation Under DADT and Repeal**
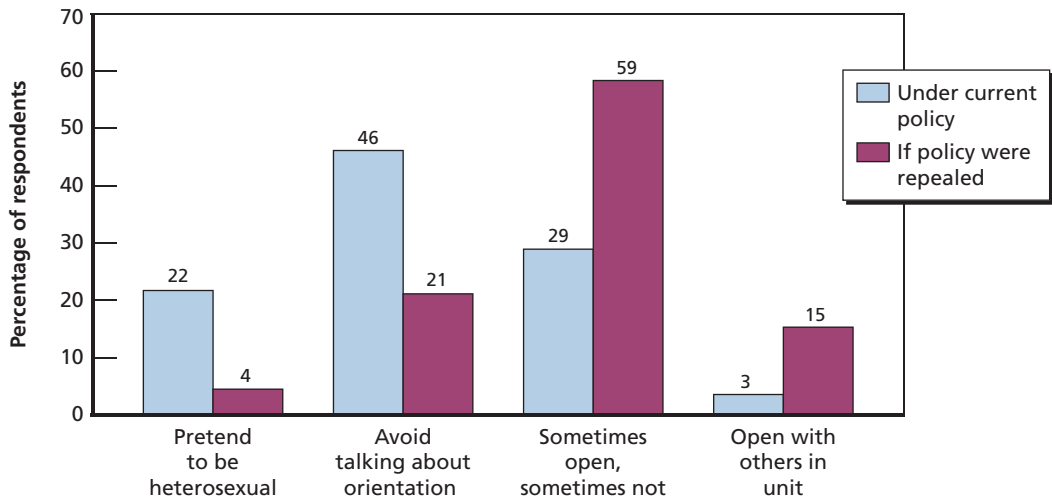


SOURCE: RAND survey of gay, lesbian, and bisexual military personnel.
RAND *MG1056-9.6*

it selectively, depending on circumstances, but three-fourths of respondents indicated that they would take a "wait and see" attitude before adjusting to DADT repeal.

Respondents attributed a range of personal problems to DADT, including risk of blackmail, damage to personal relationships, stress and anxiety, and mental health problems. About two-thirds thought that repeal would be a change for the better with respect to unit performance; the rest thought that there would be little or no effect. Respondents viewed clear leadership commitment, clear conduct standards for everyone, and zero tolerance for harassment as critical for successful policy change.

## Experience of Other Institutions

Understanding the experiences of other institutions that have removed restrictions on gay individuals can be instructive for assessing proposed changes in U.S. military personnel policy. To that end, we visited a number of foreign militaries that have years of experience with gay service members serving in their forces without any restrictions. The militaries we visited have all recently engaged in combat operations, many alongside the U.S. military.

Our major allies, including Australia, Canada, Germany, Italy, the Netherlands, and the United Kingdom, have allowed gay individuals to serve without restriction for a number of years. They report no effect on unit performance or on their ability to

meet recruitment goals. No country provides special accommodations for privacy or special training on sexual orientation.

We also conducted interviews with the following types of domestic organizations to understand their experiences:

- police and fire departments, including several in cities judged to be politically conservative and where religious organizations not favorable to gay people are relatively strong
- federal agencies with which the military often operates at home and abroad; the Office of Personnel Management in Washington, D.C.; and the office that sets civilian personnel policy for DoD
- private-sector companies, experts from the Society for Human Resources, and American colleges and universities (because students are in the same age groups that make up the vast majority of individuals recruited by the military).

The police and fire departments we visited, as well as federal agencies, major corporations, and colleges, all report that they have integrated gay individuals without serious problems, without negative effects on performance—and without making specific accommodations—by applying a strict policy of antidiscrimination.

In terms of successfully implementing change, the relevant literature and the experience of the foreign militaries and domestic organizations we visited suggest that change must be motivated, clearly communicated, and sustained through monitoring and reinforcement.

# Acknowledgments

**Chapter Ten**

We thank the dozens of government officials, military personnel, academics, and other experts who took time to meet with us during our seven country visits and helped us understand issues surrounding gay military service in their countries. In particular, we wish to acknowledge the efforts of the following people, who helped arrange our meetings and provided logistical support:

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- Canada: Karol Wenek, Commander Yvan Couture, Lieutenant Colonel Monique Goyette, and Major Apollo Edmilao, Department of National Defence
- Germany: Captain Ralf Schmitt-Reiser, German Embassy to the United States; Lieutenant Colonel Hans Jurgen Heiss and Colonel Sigfried Morbe, Federal Ministry of Defense
- Israel: Idan Liav, Israeli Embassy to the United States; Lieutenant Shuki Hasson, Ministry of Defense
- Italy: Major General Gabriele Salvestroni, Italian Embassy to the United States; Lieutenant Colonel Nicola Serio, Ministry of Defence
- The Netherlands: Commander Jan Willem Scheuer and Major Wilko Mulder, Ministry of Defence
- United Kingdom: Chris Keay, British Embassy to the United States; Tony Salt and Caroline Reynolds, Ministry of Defence.

We want to thank Stewart Barnett III and Michael Colman at the Defense Intelligence Agency, who provided invaluable points of contact for each country. We are also grateful to the participants in the "Lessons Learned from the Service of Gays and Lesbians in Allied Militaries" conference (held at the Brookings Institution on May 19, 2010) who made time to meet with us for more detailed discussions, including Victoria Basham, Major Peter Kees Hamstra, Danny Kaplan, Major Wilko Mulder, Leif Ohlson, Alan Okros, and Major General (Ret.) Simon Willis. Aeyal Gross, Guy Shilo, and John Talmadge provided valuable help answering specific queries.

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**Chapter Eleven**

We thank the men and women at the numerous law enforcement, intelligence, foreign service, and personnel agencies that we visited for the time and attention they gave to us and this issue.

# Abbreviations

| | |
|---|---|
| Add Health | National Longitudinal Study of Adolescent Health |
| ADF | Australian Defence Force |
| AF | Air Force |
| AFB | Air Force Base |
| AFHSC | Armed Forces Health Surveillance Center |
| AFIG | Air Force Inspector General |
| AFSA | American Foreign Service Association |
| AHAP | Anti-Harassment Action Plan |
| AIDS | acquired immunodeficiency syndrome |
| ANES | American National Election Studies |
| ART | antiretroviral therapy |
| AVER | American Veterans for Equal Rights |
| AVF | all-volunteer force |
| CDC | Centers for Disease Control and Prevention |
| CDF | Chief of the Defence Force [Australia] |
| CDS | Chief of the Defence Staff [Canada/United Kingdom] |
| CF | Canadian Forces |
| CFAO | Canadian Forces Administrative Order |
| CFR | Code of Federal Regulations |
| CIA | Central Intelligence Agency |
| CMR | Center for Military Readiness |
| CO | commanding officer |
| CRWG | Comprehensive Review Working Group |

| | |
|---|---|
| CSIS | Center for Strategic and International Studies |
| DACOWITS | Defense Advisory Committee on Women in the Services |
| DADT | "Don't Ask, Don't Tell" |
| DAIG | Department of the Army Inspector General |
| DHS | Department of Homeland Security |
| DND | Department of National Defence [Canada] |
| DoD | Department of Defense |
| DoDD | Department of Defense Directive |
| DOMA | Defense of Marriage Act |
| DSM | *Diagnostic and Statistical Manual of Mental Disorders* |
| ECHR | European Court of Human Rights |
| ECJ | European Court of Justice |
| EDA | Equality and Diversity Advisor [United Kingdom] |
| EEO | Equal Employment Opportunity |
| ENDA | Employment Non-Discrimination Act |
| EO | equal opportunity |
| EU | European Union |
| FBI | Federal Bureau of Investigation |
| FMA | Federal Marriage Amendment |
| FSO | Foreign Service Officer |
| FY | fiscal year |
| GAO | U.S. Government Accountability Office (before July 2004, U.S. General Accounting Office) |
| GSS | General Social Survey |
| HIV | human immunodeficiency virus |
| HMO | health maintenance organization |
| HPAT | Homosexual Policy Assessment Team [United Kingdom] |
| HR | human resources |
| HRC-F | Human Rights Campaign Foundation |
| HREOC | Human Rights and Equal Opportunity Commission [Australia] |
| IDF | Israel Defense Forces |

| | |
|---|---|
| IG | Inspector General |
| ISAF | International Security Assistance Force |
| JAG | Judge Advocate General |
| JAMRS | Joint Advertising and Market Studies |
| KIA | killed in action |
| KN | Knowledge Networks |
| LGBT | lesbian, gay, bisexual, and transgender |
| MCIO | military criminal investigative organization |
| MOD | Ministry of Defence/Ministry of Defense |
| MP | Member of Parliament |
| MWG | Military Working Group |
| MYRBS | Massachusetts Youth Risk Behavior Surveys |
| NATO | North Atlantic Treaty Organization |
| NCO | noncommissioned officer |
| NDU | National Defense University |
| NHSLS | National Health and Social Life Survey |
| NISSO | Netherlands Institute of Social Sexological Research |
| NORC | National Opinion Research Center |
| NSA | National Security Agency |
| NSFG | National Survey of Family Growth |
| NTC | National Training Center |
| OPM | Office of Personnel Management |
| ORC | Opinion Research Corporation |
| OSD | Office of the Secretary of Defense |
| PC | Parliamentary Commissioner for the Armed Forces [Germany] |
| PERSTEMPO | personnel tempo |
| PIN | personal identification number |
| PSH | California Preventing School Harassment Survey |
| PSRA | Princeton Survey Research Associates |
| PTSD | post-traumatic stress disorder |
| RA | resident advisor |

| | |
|---|---|
| RDS | respondent-driven sampling |
| RR | risk ratio |
| RSL | Returned Services League |
| SAGALA | Service Academy Gay And Lesbian Alumni Network |
| SAMHSA | Substance Abuse and Mental Health Services Administration |
| SASC | Senate Armed Services Committee |
| SCC | Service Complaints Commissioner [United Kingdom] |
| SHARP | Standard for Harassment and Racism Prevention [Canada] |
| SHRM | Society for Human Resource Management |
| SLDN | Servicemembers Legal Defense Network |
| SWAN | Service Women's Action Network |
| TSA | Transportation Security Administration |
| U.S.C. | United States Code |
| UCMJ | Uniform Code of Military Justice |
| USAID | U.S. Agency for International Development |
| USNA | U.S. Naval Academy |
| VP | vice president |
| WAAC | Women's Army Auxiliary Corps |
| WAC | Women's Army Corps |
| WAVES | Women Accepted for Volunteer Emergency Service |
| WIA | wounded in action |

# Overview[1]

In his January 27, 2010, State of the Union address, President Barack Obama announced that he would work with Congress to repeal the law commonly known as "Don't Ask, Don't Tell" (DADT; 10 U.S.C. 654). One week later Secretary of Defense Robert Gates, in testimony before the Senate Armed Services Committee (SASC), announced that he would appoint a high-level working group within the Department of Defense (DoD) to review the issues associated with properly implementing a repeal of the DADT policy. He also announced that in response to a request from the chairman, Senator Carl Levin, and the ranking member, Senator John McCain, of SASC, he would ask the RAND Corporation to update its 1993 report, *Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment* (RAND, 1993).[2] The committee requested RAND to supplement or modify the report with current information and data that would be useful to them in considering any change to DADT.

## Study Approach

To review the issues associated with repealing DADT, RAND focused on four broad areas:

- the environment within and outside the military in which repeal of DADT would occur
- potential effects of repeal on military readiness and effectiveness, such as recruitment and retention, unit cohesion, and force health
- opinions of military personnel about repeal, including the perspectives of currently serving gay men and lesbians
- insights from the experience of institutions in which gay people currently serve, work, and study.

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[1] This chapter was prepared by Bernard D. Rostker.

[2] In the 1993 report, RAND did not recommend or endorse DADT.

## Organization of This Report

We present our research and analysis as follows:[3]

- **How the environment surrounding DADT has changed since 1993 (Chapters Two and Three):** We describe the way in which DADT was implemented; changes in U.S. society; and trends in U.S. public opinion about allowing gay men, lesbians, and bisexuals to serve in the military without restriction.
- **What is known about gay men and lesbians today that might influence the policy options being considered (Chapter Four):** We examine the prevalence of gay individuals in the military and in the civilian population, the circumstances and frequency with which gay people usually reveal their sexual orientation to others, and the consequences of these disclosures.
- **How repealing DADT might affect the military (Chapters Five, Six, and Seven):** We review the research literature on unit cohesion and performance and update information on recruiting, retention, and health issues.
- **What military members think about repealing DADT (Chapters Eight and Nine):** We describe results from focus groups with a cross section of military personnel and from a survey of gay personnel.
- **What the experience has been of institutions in which gay people currently serve, work, or study (Chapters Ten, Eleven, and Twelve):** We describe our interviews with personnel from foreign militaries, domestic police and fire departments, federal agencies, private sector organizations, and colleges and universities.
- **What the research and the experiences of other organizations suggest for implementing repeal of DADT (Chapter Thirteen).**

This overview—Chapter One—synthesizes the study results and serves as a road map for the chapters and appendix that follow.

## The Environment Within and Outside the Military in 2010

The military now has 17 years of experience working with the DADT policy. The ambiguity in the initial DoD directives implementing the policy provided space for different interpretations of its details, including training and standards for investiga-

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[3]   The document also includes an appendix on the history of women in the military. This material is not included in the body of the report because our analysis indicates that the experience of integrating women in the military is not analogous to the process of allowing gay men and lesbians to serve without restriction. Women have always been a distinct and separate class in the military, and the rationales for not allowing them to participate in certain assignments, positions, and roles in the military (e.g., women should be protected from combat, women are not physically capable of combat tasks) are unique.

tions and guidelines for addressing harassment, among others. Issues in the DADT debate have shifted over time, as has the consistency of implementation.

American culture and public opinion have also changed substantially. Gay people are now more visible in the workplace and elsewhere, and American public opinion has become more favorable toward allowing them to serve in the armed forces without restriction. New surveys have helped us estimate the numbers of gay men and lesbians in the general population and serving today.

Newer studies also show that gay people disclose their sexual orientation selectively, to those who they think will be accepting. In general, research shows that disclosure of personal information leads to trust and to better interpersonal relationships; not disclosing can interfere with mental health. Thus, gay people who are free to disclose their sexual orientation are likely to have better psychosocial well-being and more trusting relationships with their peers.

### The History of "Don't Ask, Don't Tell"—Chapter Two

The legal and administrative history governing the service of gay men and lesbians in the military long predates DADT. Since the World War I era's Articles of War, the military has maintained a legal ban on sodomy and, through sodomy, on gay sexual orientation. During World War II, "Mobilization Regulations" stated that "Persons who habitually or occasionally engage in homosexual or other perverse sexual practices are unsuitable for military service and will be excluded" (Menninger, 1948, p. 228).

However, despite the policy mandating the separation of gay individuals, inconsistencies among the services resulted in substantial difficulties in responding to legal challenges to the policy. In the closing days of the Carter administration (January 1980), Deputy Secretary of Defense Graham Claytor signed a new directive for "clear and uniform" application of DoD policy, making discharge mandatory for known gay men and lesbians. The accompanying directive stated unequivocally that gay sexual orientation was 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 servicemembers; to insure the integrity of the system of rank and command; to facilitate assignment and worldwide deployment of service members who frequently must live under close conditions affording minimal privacy; to recruit and retain members of the Military Services; to maintain the public acceptability of military service; and to prevent breaches of security. (DoD, 1982)

The new DoD policy specified that gay sexual orientation alone, if unaccompanied by other charges, would result in an honorable (administrative) discharge. The

new standards for an administrative discharge were (1) a *statement* by a member that he or she is gay; (2) engagement in or attempted engagement in same-sex sexual *acts*; and (3) *marriage* or attempted marriage to a person of the same sex. These bases for discharge—statements, acts, and marriage—persist to this day and are an essential part of understanding the origin and implementation of DADT.

In the years that followed, the policy restricting the service of gay men and lesbians came increasingly under legal challenge as concerns regarding fair and consistent implementation of the policy persisted. Indeed, many of the difficult challenges that are frequently associated with DADT predated the law itself, including improper investigations, inconsistent enforcement, and exploitation of the policy by service members who wanted to avoid military commitments. The origins of DADT are thus rooted in preexisting policies and problems. It was in this environment that the issue of gay men and women serving in the military emerged on the national political stage in the early 1990s.

During the presidential campaign of 1992, William Clinton pledged to lift the ban if elected. Early in the new administration, he asked Secretary of Defense Les Aspin to prepare an executive order "ending discrimination on the basis of sexual orientation in the Armed Forces" (The White House, 1993). What resulted in July 1993 was the compromise policy of DADT, which, as President Clinton would later remark, "basically said that if you say you're gay, it is presumed that you intend to violate the Uniform Code of Military Justice and you can be removed, unless you can convince your commander you're celibate and therefore not in violation of the code" (Clinton, 2004, p. 485).

In September 1993, Congress codified its own version of DADT, rejecting the distinctions between sexual orientation and conduct that the administration had crafted. The law stipulated that known gay service members would pose an "unacceptable risk" to military effectiveness, and that the suspicion that a service member was gay, irrespective of other same-sex conduct, was enough to warrant investigation and separation from the military.

In December 1993 and February 1994, DoD issued regulations to implement DADT that contained elements of both the Clinton and congressional versions of DADT. The result was a policy that posed challenges for implementation and painted an unclear picture of the relationship between sexual orientation, statements, conduct, and propensity or intent.

The ambiguity in DoD directives implementing DADT provided space within which the competing visions of the policy played out during the next 17 years, including over how a service member could "rebut" the presumption that he or she was gay; over the government's ability to recoup funds from gay service members who were separated after making a statement concerning their sexual orientation and the "intent" of such a statement; over the quality and extent of training on the policy; and over standards for investigations and guidelines for addressing issues of harassment.

The issues in the DADT debate have shifted over time. In 1993, the arguments for DADT focused on how excluding known gay individuals from serving in the military would preserve unit cohesion, performance, and privacy. In 2010, those who oppose repeal continue to use these arguments and assert that changing the law during wartime will place undue stress on service members. Individuals favoring repeal initially focused their attention on how DADT was being administered by DoD. When debate about DADT resumed in 2004, the pro-repeal group refocused on Congress and legal challenges to the constitutionality of the DADT ban. In addition, they argue that DADT itself has a negative effect on readiness and cohesion.

Implementation of DADT has also changed. Since 2001, discharges of service members because of sexual orientation have declined sharply. There has been considerable disagreement about how the war in Afghanistan and Iraq might be affecting the implementation of DADT. Some have argued that commanders, particularly younger ones, are increasingly accepting of gay service members; others that commanders are reluctant to give up otherwise qualified soldiers during wartime; and still others that commanders do not have the time and resources to implement and enforce DADT during wartime. The focus groups conducted for this study, as discussed in Chapter Eight, and results of our survey of serving gay personnel, as reported in Chapter Nine, indicate that many service members today know or believe that they are serving with gay men and lesbians.

**Context: Broad Social Changes and Public Opinion—Chapter Three**

Since 1993, gay men and lesbians have become increasingly visible in American society, as reflected in Figure 1.1, taken from a CBS News poll conducted in May (CBS News, 2010). In addition, CBS News reports that "more than six in ten Americans say they have a close friend, work colleague or relative who is gay or lesbian" (CBS News, 2010). Some have argued that increased visibility is the catalyst that has helped to shift public opinion and has motivated additional rights and protections against discrimination and harassment based on sexual orientation.

**Discrimination and Harassment.** Federal law mandates that employers not discriminate on the basis of race, color, religion, sex (including pregnancy), national origin, age, or disability; however, it does not address discrimination based on gender identity or expression and sexual orientation. At the federal level, President Clinton signed several executive orders that extended protections to gay people, including Executive Order 12968 in 1995, which prohibited the U.S. government from discriminating on the basis of sexual orientation in granting access to classified information (The White House, 1995). In about half the states and in some municipalities, discrimination on the basis of sexual orientation is prohibited by statute, and a few states prohibit it as a matter of state constitutional law. In October 2009, President Obama signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which expanded

**Figure 1.1**
**Percentage of U.S. Adults Who Know Someone Who Is Gay or Lesbian, 1992 and 2010**

August 1992

Don't know/
no answer

Yes
42%

No
56%

2%

May 2010

Don't know/
no answer

No
22%

Yes
77%

1%
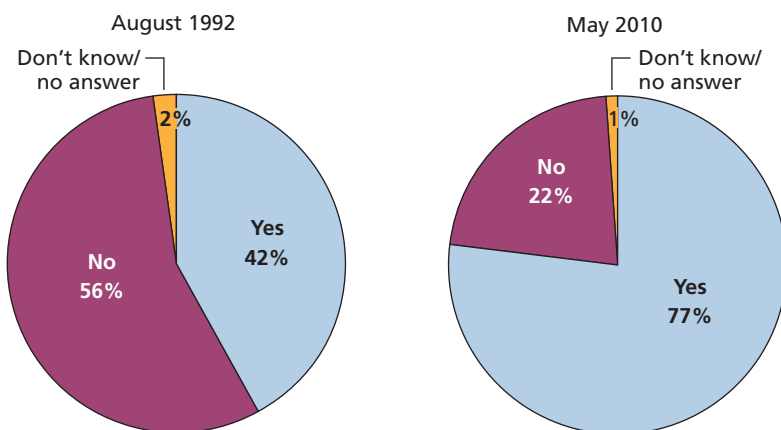
SOURCE: CBS News, 2010.
**RAND** *MG1056-1.1*

federal hate crimes law to include protection against crimes based on sexual orientation or gender identity (Public Law 111-84, 2009).

**Same-Sex Partner Benefits.** Since 1993, there has also been some expansion of access to same-sex partner benefits, particularly in the private sector, as discussed in Chapter Twelve. The federal government and some states have also taken action to expand benefits to same-sex partners. In April 2009, President Obama signed a memorandum requiring all hospitals that accept Medicare or Medicaid to allow visitation rights for same-sex partners (Human Rights Campaign, 2010). As of April 2009, 23 states plus the District of Columbia had laws allowing hospital visitation for same-sex partners. In June 2010, President Obama extended many federal benefits to same-sex partners of federal employees, including employee assistance programs and child-care subsidies (The White House, 2010). This issue is discussed further in Chapter Eleven.

**Same-Sex Marriage.** Same-sex marriage has been one of the most visible and contentious issues concerning sexual orientation. In 1996, Congress passed the Defense of Marriage Act, which defined the word *marriage* to mean "only a legal union between one man and one woman as husband and wife" and the word *spouse* to refer only to "a person of the opposite sex who is a husband or a wife" (Public Law 104-199, 1996). As of November 2010, 30 states have constitutional amendments banning same-sex marriage, and 15 additional states have statutes limiting same-sex marriage (National Conference of State Legislatures, 2010). Only five states (Connecticut, Iowa, Massachusetts, New Hampshire, and Vermont) and the District of Columbia issue marriage

licenses to same-sex couples;[4] three states (Rhode Island, New York, and Maryland) recognize same-sex marriages from other states.[5]

**Public Opinion.** Public opinion has always been a core issue in the debate concerning DADT. Comparing public opinion polls over time can be tricky; subtle changes in wording or changes in how a question is presented in the context of other questions can sometimes affect responses. In assembling polling data, we tried to be as consistent as possible.

Over the past 17 years, American public opinion about gay men and lesbians has become substantially more positive, indicating greater tolerance, acceptance, and inclusion of gay people in American society. Figure 1.2 shows two key measures of opinions, both around the time DADT was adopted and more recently in 2008 or 2009 (Gallup, 2010). Today, the surveys suggest that more than half of Americans are accepting of gay people, and almost everyone agrees that gay individuals should have equal rights in job opportunities.

**Figure 1.2**
**Change in Opinions Toward Gay People**
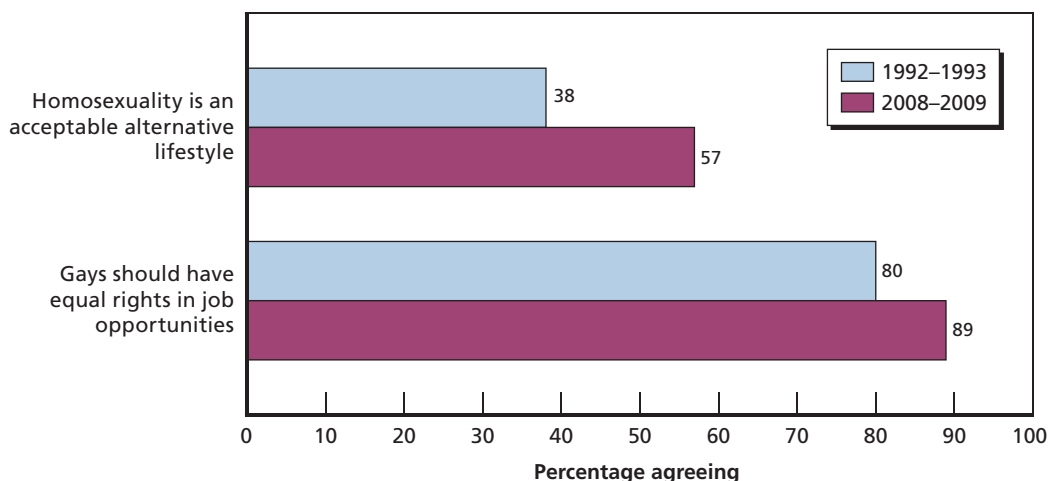


SOURCE: Gallup, 2010.
NOTE: The wording of the questions asked for both pairs of results presented in the figure is as follows:
(1) "Do you feel that homosexuality should be considered an acceptable alternative lifestyle or not?"
(2) "As you may know, there has been considerable discussion in the news regarding the rights of homosexual men and women. In general, do you think homosexuals should or should not have equal rights in terms of job opportunities?"
RAND *MG1056-1.2*

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[4]  The status of same-sex marriages in California remains uncertain. The California Supreme Court ruled on May 15, 2008, that same-sex couples have the right to marry in California. However, Proposition 8, which limits marriage to one man and one woman, was passed on November 4, 2008. Proposition 8 has since been ruled unconstitutional by a federal district court judge, and the decision has been appealed.

[5]  For an assessment of the current legal situation, see Schwartz, 2010.

Closely paralleling this broad trend, public opinion data show an increase in those who favor allowing gay people to serve in the military and to serve without restriction. Most polling suggests that a majority of Americans support both, as shown in Figure 1.3. This pattern of increased acceptance is consistent across polling organizations using differently worded questions.

There are a number of trends that may explain the change in public opinion. Since 1993, gay people have become increasingly visible, not only in American popular

**Figure 1.3**
**Change in Attitudes Toward Gay Men and Lesbians Serving *Without Restriction* in the Military**



SOURCE: Roper Center iPOLL Databank.

[a] The wording used by NBC News/*Wall Street Journal* in April 1993 was, "Do you favor or oppose allowing openly gay men and lesbian women to serve in the military?" The wording used by Gallup in May 2010 was identical.

[b] The wording used by PSRA/*Times Mirror* in July 1994 was, "(I'd like your opinion of some programs and proposals being discussed in this country today. Please tell me if you strongly favor, favor, oppose, or strongly oppose each one.) . . . Allowing gays and lesbians to serve openly in the military." The wording used by the Pew Research Center for the People & the Press/Pew Forum on Religion & Public Life in July 2010 was, "All in all, do you strongly favor, favor, oppose, or strongly oppose . . . allowing gays and lesbians to serve openly in the military?"

[c] The wording used by ABC News/*Washington Post* in May 1993 was, "Do you think homosexuals who do publicly disclose their sexual orientation should be allowed to serve in the military or not?" The wording used by ABC News/*Washington Post* in February 2010 was identical.

[d] The wording used by CBS News/*New York Times* in February 1993 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting homosexuals to serve in the military?" The wording used by CBS News/*New York Times* in February 2010 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting gay men and lesbians to serve in the military?"

RAND *MG1056-1.3*

culture (as evidenced by more outspoken gay and lesbian celebrities, musicians, and politicians) but also in the everyday lives of Americans. The proportion of the civilian population who say they know someone who is gay or lesbian has grown from 42 percent to 77 percent between 1992 and 2010, with younger people reporting higher numbers than older people. A large number of organizations in both the public and private sectors have voluntarily adopted nondiscrimination policies, as have state and local governments and the federal government, and many offer partner benefits to same-sex couples.

**Sexual Orientation and Disclosure—Chapter Four**

In 1993, few studies had been conducted to estimate the prevalence of gay individuals in the general U.S. population or in the military. Today, we know much more about the prevalence of gay people in society in general and in the military, as well as how and to whom gay people disclose their sexual orientation and what personal and contextual factors affect disclosure. We also better understand the likely consequences of disclosing gay sexual orientation, including effects on trust, development of relationships, and well-being.

**Prevalence of Gay Individuals in the General Population and the Military.** The number of gay people in the general population suggests some bounds on the potential number of gay military personnel. Estimates of the currently serving gay population are also valuable in assessing the effects of DADT and in understanding the impact of a potential policy change. A number of studies published since 1993 estimate the prevalence of gay people in the general population. However, only one survey, the National Longitudinal Study of Adolescent Health (Add Health), also allows a direct comparison of the prevalence of gay individuals in the military and in the civilian population. We used data from that survey to derive estimates of the number of gay individuals who are serving or have recently served in the U.S. military. (See Chapter Four for more information.)

Add Health is the largest survey to include questions regarding both military service and sexual orientation, and the data cover a relatively long period following high school graduation. This nationally representative sample, originally surveyed between September 1994 and June 1995, follows a cohort of 20,745 adolescents over time and includes those who, at some point, joined the military. As a result, we can estimate what fraction of men and women in the military identify themselves as gay compared with the portion of the survey sample with no history of military service. The latest Add Health interviews were conducted in 2008, when the cohort was between 24 and 32 years of age. Seventy-six percent of those who responded at the beginning of the survey also responded in the latest interviews.

Figure 1.4 shows our best estimate of the fraction of men and women in the civilian population and in the military who self-identify as gay or bisexual, based on the Add Health data. The fraction of gay men in the military is close to the fraction of gay

**Figure 1.4**
**Patterns of Self-Reported Gay Sexual Orientation in the Military Compared with the Civilian Population of Young Adults**
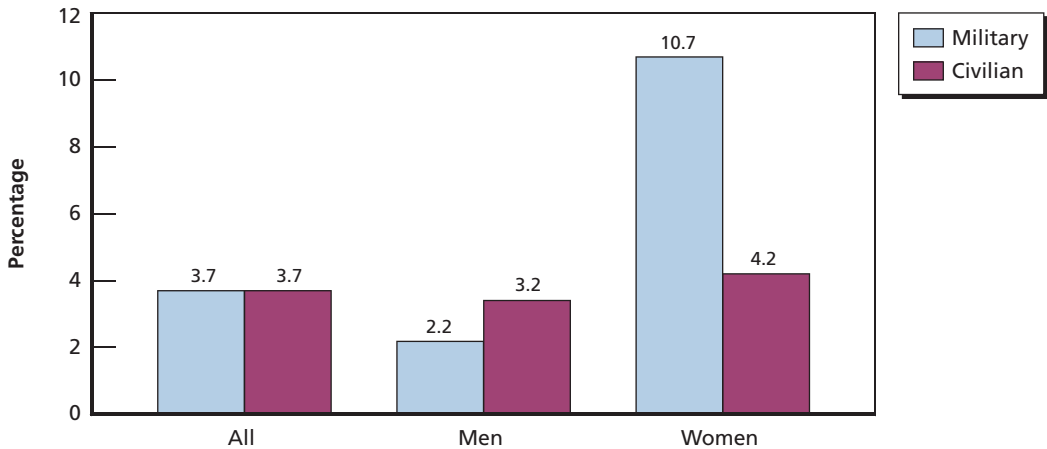


SOURCE: Add Health, 2009.
**RAND** *MG1056-1.4*

men in the civilian population in the same age group. Lesbians serve in the military at disproportionately high rates. Applying these rates to the serving active-duty military population in 2008 suggests a military gay and lesbian population of 26,000 and 21,000, respectively. Similar estimates for the reserve components—people serving in the National Guard and reserve—are 15,000 men and 16,000 women.

**Disclosure of Sexual Orientation: Coming Out and Potential Consequences.** If DADT were to be repealed, gay men and lesbians who serve in the military would be permitted to disclose their sexual orientation to other service members. However, data from other studies and from our own focus groups and survey suggest that few will choose to disclose their sexual orientation widely and that disclosure will be highly selective. Disclosure will sometimes be explicit and sometimes indirect (communicated through references to people or events, rather than to one's sexual orientation). Overall, research has shown that people make reasoned judgments about whether to disclose their sexual orientation in a given situation, based in part on their assessment of the likelihood of a positive versus negative response.

Multiple studies show that gay people are more likely to disclose their sexual orientation to individuals with whom they have a close relationship. The results from one study comparing disclosure to friends and neighbors, shown in Figure 1.5, illustrate this point.

Research also suggests that personal and contextual factors determine whether gay people disclose their sexual orientation in the workplace. While there have been a number of studies conducted on this topic going back to 1984, the quality of the samples, the types of workplace, the recency of the studies, and the sources of the

**Figure 1.5**
**Gay Men Ages 24–34 Reveal Their Sexual Orientation Selectively**
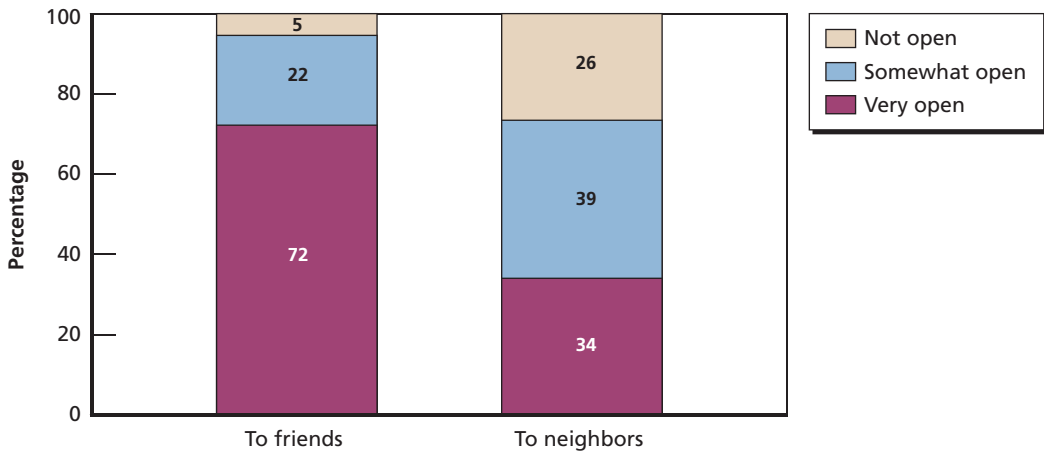


SOURCE: Schope, 2002.

information prevent a definitive estimate. In general, however, the studies suggest that approximately one-fourth of gay men, lesbians, and bisexuals keep their sexual orientation a secret; about one-fourth are completely open about their sexual orientation; and the other half fall somewhere in the middle, disclosing their sexual orientation to select individuals.

Key personal factors in the decision to disclose may include self-acceptance and the degree to which being gay is central to an individual's identity. Demographic characteristics, including race/ethnicity, age, gender, and relationship status, are also associated with disclosure. Key contextual factors may include anticipated consequences of disclosure, degree of stigma associated with being gay in that particular setting, existence of social support and gay-supportive workplace policies, organizational diversity climate, industry and professional norms, and legal protections.

Given the current policy of DADT, there are no previous studies of sexual orientation disclosure in the U.S. military. There have been several studies in foreign militaries, including work reported in Chapter Ten. However, to the best of our knowledge, the survey that we conducted of gay service members for this study provides the only information available that describes disclosure in the U.S. military. In Chapter Nine, we discuss the results of that survey in detail; later in this chapter, we highlight what gay military personnel told us about how their disclosure of sexual orientation would change if DADT were repealed.

Current research helps us understand both the positive and negative consequences of disclosing sexual orientation. Disclosure may be associated with better job attitudes and well-being, higher-quality interpersonal relationships, and better mental health for those who disclose. Conversely, concealing information about oneself, including

information about sexual identity, may lead to psychological problems, including pre-occupation with concealing the information, anxiety, and social isolation. However, a few studies also report that individuals who disclosed their sexual identity, or had it become known involuntarily, sometimes experienced negative reactions; in these cases, disclosure of sexual orientation can lead to verbal and physical victimization.

A final issue relevant to the possible repeal of DADT is the number of gay and lesbian individuals who are in committed same-sex and opposite-sex relationships, including marriage and cohabitation. These relationships may affect disclosure and the military social climate (for example, partners might be brought to social functions) and could affect benefits and housing. Herek et al. (2010) estimated that, in the U.S. civilian population, 40 percent of gay men and 76 percent of lesbians are in committed same-sex relationships.

## Issues of Concern to the Military

A number of issues highlighted in the 1993 debate remain salient today. The 1981 policy declaring that "homosexuality is incompatible with military service" is based on the premise that the presence of a gay member "adversely affects the ability of the Military Services to maintain discipline, good order, and morale." Congress codified this unit cohesion–based argument in the 1993 DADT legislation. The 1981 policy also mentions concern about the ability to "recruit and retain members of the armed force" if gay individuals are allowed to serve. In 1993, issues of health, specifically human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and the safety of the blood supply, were also highlighted.

Research since 1993 continues to support the finding that the performance of a group influences its cohesion more than cohesion influences its performance. Studies, including some from World War II, also suggest that interpersonal liking is not essential to effective unit performance; what is important is shared commitment to the unit's task-related goals. Personal trust in one's comrades is distinct from personal liking, and professionals can develop this kind of trust rapidly in intense performance situations.

Estimates of how repeal of DADT might affect recruitment are very uncertain. Projections based on data from DoD tracking surveys in spring (April–June) versus summer (July–September) of 2010 show either a slight decrease or slight increase in enlistments if DADT were to be repealed, respectively. We can be reasonably confident that any effect would be small. In addition, other countries report that the sizable decline in recruitment predicted in surveys of military personnel prior to removing restrictions on service of gay members did not in fact occur.

Available information is not sufficient to predict the change in retention rates if policy were to change. Based on our analysis of retention-related questions in the DoD survey of military personnel, we estimate that less than 6 percent of active-duty mem-

bers comprise the group most likely to leave. However, this estimate is quite uncertain. Survey evidence supports the view, often expressed in the focus groups we conducted, that compensation-related factors are more likely to influence retention decisions than is a policy change, such as repealing DADT.

Due to improved DoD testing policy and the small fraction of gay personnel, rates of HIV infection in the military are unlikely to increase if currently serving gay men and lesbians were able to disclose their sexual orientation—even if the number of gay military members were to increase. Advances in treatment have made HIV/AIDS a chronic condition with few health consequences during the early years of infection, when military service is likely. Depression, anxiety, binge drinking, and substance abuse are more common among gay individuals but are unlikely to substantially affect readiness, given the overall prevalence of behavioral health problems in the military and the small percentage of gay service members.

**Unit Cohesion and Military Performance—Chapter Five**
In the years immediately after World War II, scholars argued that unit cohesion is essential to military effectiveness. Understanding the full meaning of the term *cohesion*, what influences it, how it relates to performance, and how changes in group composition affect it is central to understanding how introducing known gay men and lesbians into military units could affect military performance.

As in 1993, we conducted an extensive literature search for empirical studies on group cohesion and its antecedents and consequences. We located a considerable body of new research, including both published and unpublished studies in the military, sports, social psychology, and industrial-organizational behavior literatures. Much of the evidence is correlational, including studies using factor analysis and multiple regression analysis. Most useful are studies using meta-analysis, which is a technique for aggregating and synthesizing different empirical estimates of an association across multiple studies; it can provide more reliable estimates than would be possible in any single study.

**Social and Task Cohesion.** Early military writings discussed cohesion in monolithic terms as an important contributor to military performance and victory on the battlefield. Further academic inquiries have distinguished various types of cohesion in order to better analyze how interpersonal dynamics affect the performance of small organizations—e.g., teams and small military units, such as squads and platoons. Since the 1993 study, additional evidence has accumulated to support a distinction between task and social cohesion, which is now adopted in most academic studies. The distinction is defined as follows:

- *Task cohesion:* the shared commitment among members to achieving a goal that requires the group's collective efforts. Members of a group with high task cohesion share a common goal and are motivated to coordinate their efforts to achieve it.

- *Social cohesion:* the extent to which group members like each other, prefer to spend free time together, enjoy each other's company, and feel emotionally close.

The academic literatures suggest that task cohesion is a stronger predictor of performance than social cohesion. In addition, studies suggest that performance may be more important to cohesion than cohesion is to performance: Groups that perform well tend to be more cohesive.

Studies suggest that cohesion may affect many outcomes other than group performance. A 1999 meta-analysis of military studies found that good performance was significantly correlated with job satisfaction, retention, well-being, and discipline. Others have found that high individual task and social cohesion ratings were associated with lower levels of psychological distress.

**The Role of Cohesion in Combat and Crisis.** Cohesion has long been a central tenet in military writings. Post–World War II military analysts argued that social cohesion within a soldier's primary group was essential to military effectiveness but left open the issue of what causes social cohesion. Some argue that it is caused by long-standing shared values and attitudes; others maintain that it stems from the common threat of the enemy.

More recently, some military social scientists have questioned the understanding of unit cohesion and the primacy of social cohesion that developed from these early studies. Post–Vietnam-era military analysts began articulating a view of cohesion that emphasizes the importance of task cohesion. Other scholars have highlighted the importance of trust and teamwork based on common experiences, including training and a focus on performing common tasks.

A number of scholars emphasize that cohesion also has a strong interpersonal component. In interviews, soldiers in combat situations often remark on the strong emotional bonds they feel with their comrades. But they also stress the importance of the mission, shared military goals, leadership, and resources, and there is no evidence that the emotional bonds are what actually drive combat motivation and effectiveness.

The strong interpersonal dimension of the combat experience is not captured by the notion of either social or task cohesion. Rather, it is in part an adaptation to powerful situational forces and in part a reflection of the nature of professional trust. The military sociologist Charles Moskos saw it in the Vietnam experience when "combat motivation arises out of the linkages between individual self-concern and the shared beliefs of soldiers as these are shaped by the immediate combat situation" (Moskos, 1971, pp. 19–20). Grinker and Spiegel (1945) eloquently discuss it in their account of combat teams during World War II in *Men Under Stress*:

> In the theater of operations . . . the presence of the enemy, and his capacity to injure and kill, give the dominant emotional tone to the combat outfit. . . . The impersonal threat of injury from the enemy, affecting all alike, produces a high degree of cohesion so that personal attachments throughout the unit become intensified.

Friendships are easily made by those who might never have been compatible at home, and are cemented under fire. Out of the mutually shared hardships and dangers are born an altruism and generosity that transcend ordinary individual selfish interests. So sweeping is this trend that the usual prejudices and divergences of background and outlook, which produce social distinction and dissension in civil life, have little meaning to the group in combat. Religious, racial, class, schooling or sectional differences lose their power to divide the men. What effect they have is rather to lend spice to a relationship which is now based principally on the need for mutual aid in the presence of enemy action. Such powerful forces as antisemitism, anticatholicism or differences between Northerners and Southerners are not likely to disturb interpersonal relationships in a combat crew. . . . Their association is not limited to working hours but includes their social activities. . . . The most vital relationship is not the purely social. It is the feeling that the men have for each other as members of combat teams and toward the leaders of those teams, that constitutes the essence of their relationship. (pp. 21–22)

Trust that is based on strong interpersonal bonds can take a long time to develop, but professional teams often have a finite life span, form around a shared and relatively clear goal or purpose, and depend for success on tightly coordinated activity. Analysts have identified several kinds of trust that can develop very rapidly: category-based trust (based on knowledge of the other person's membership in trusted groups); role-based trust (using high rank as a measure of one's past experience and performance); and rule-based trust (based on shared understandings of the system of rules regarding appropriate behavior). Trust makes it possible for professionals to effectively work together without a prolonged personal history. People appear motivated to work with and trust colleagues (and leaders) who have demonstrated their competence, their reliability, and their loyalty and commitment to the group's goals.

Academic studies of cohesion do not provide definitive evidence about the effects of repealing DADT. It was for this reason that, as discussed below and in Chapters Ten, Eleven, and Twelve, we looked to the experience of foreign militaries and relevant domestic organizations, which now have many years of experience with allowing gay men and lesbians to serve without restriction.

**Effects of Team Heterogeneity on Cohesion and Performance.** In 1993, the discussion of how the presence of known gay men and lesbians might affect unit cohesion was speculative, drawing heavily on social psychological theory and laboratory experiments. Since then, the literature on how differences among individuals affect team performance (and to a lesser extent, cohesion) has grown enormously. Recent studies in the United States and Israel did not find any significant correlation between perceived unit cohesion and whether unit members were aware of gay men or lesbians in the unit. In the broader organizational literature, three meta-analyses have found no significant net association between sociodemographic heterogeneity (because of gender, race, and

other variables) and team performance; one meta-analysis found effects that are quite small and are limited to certain settings.

A number of recent studies have identified some of the conditions in which heterogeneity is most likely to create conflict. For example, team performance was most likely to be impaired when member conflicts involved both relationship conflicts (e.g., personality clashes) and task conflicts (e.g., disputes about how the job should be done). Conflicts were also more disruptive for complex tasks (e.g., group decisionmaking) than for simple production tasks.

The empirical literature shows that military leadership and training are essential in building cohesion and improving unit performance. If interpersonal conflict in a unit becomes disruptive, commanders can and should intervene. But the literatures on cohesion and performance suggest that such situations will be the exception, not the rule.

Our research suggests little reason to expect that ending DADT would produce any notable deterioration in unit performance. This conclusion is borne out by the experiences of military and other organizations that have adopted nondiscrimination policies, as described in Chapters Ten, Eleven, and Twelve.

## Potential Effects on Military Recruiting and Retention—Chapter Six

Some have raised concerns that allowing known gay individuals to serve in the military without restriction would adversely affect recruitment and retention. A general understanding of recruiting and retention sets the stage for our analysis of survey data that follows.

**Recruiting and Retention in General.** Since the advent of the all-volunteer force in 1973, the services have used a series of financial and nonfinancial rewards to attract and retain eligible people to serve and continue to serve in the military. The economic decisionmaking model that is accepted today as the standard for examining recruitment and retention issues evaluates the benefits and costs of joining, considers the effect of advertising and recruiters, and incorporates the notion of taste or preferences for military service and military life to explain why people join the military. The model specifically considers such factors as military pay, bonuses, possible civilian earnings and unemployment, and civilian educational opportunities and those provided by the military, together with funds spent on advertising, the number of recruiting stations, and recruiter effort.

Economic and educational factors remain prominent in young adults' decisions to join the military. Factors associated with civilian job market opportunities have the strongest influence on the enlistment decisions of those who have already graduated from high school, while factors associated with college attendance have the strongest influence for high school seniors. Educational aspirations and the ability to finance higher education increase the likelihood of attending college and reduce the likelihood of enlistment. On the other hand, educational aspirations without a concomitant abil-

ity to finance higher education increase the likelihood of choosing the military over civilian work.

Research shows that parents and others can play a key role in influencing young adults' propensity to join the military by influencing a child's impressions of the military, by shaping expectations about whether he or she can succeed in that environment, and by recommending service and having conversations with the child about joining the military. Because of downsizing in the 1990s and the rising number of deaths among the World War II generation, one group of positive influencers—veterans—has diminished precipitously. In addition, attitudes toward the military among many influencers have also changed in recent years. Since the invasion of Iraq in 2003, they have become less likely to recommend military service.

Since 1993, there has been a decline in positive attitudes toward enlistment among American youth. This decline began at the end of the Cold War in 1989. Given the drop in the percentage of youth with a positive attitude toward enlistment, the negative effects of the wars in Iraq and Afghanistan, and the reduction in the percentage of American youth who would qualify for service (the main disqualifier is weight, followed by education and aptitude), the services have had to devote additional resources to military recruiting. However, in the past two years, the economic downturn has made recruiting easier.

As with enlistment, most of the factors affecting retention have not changed, and many of the factors affecting retention identified in the 1993 report remain important. Additional factors have been identified in recent studies—most prominently, frequent and long deployments and the higher levels of stress associated with the higher work pace needed in a wartime setting. Recent surveys have identified the top reasons for staying in the military as compensation-related factors—such as pay, allowances, retirement benefits, and financial security—with nearly three-fourths of respondents citing a compensation-related factor as one of the top three reasons for staying.

Considerable research has shown that the military retirement system strongly influences retention, especially among personnel with at least 10 years of service. The system motivates most midcareer members with 10–19 years of service to stay until the 20th year of service vesting point, with year-to-year midcareer retention rates of over 95 percent. Because of the strong pull of the retirement system in midcareer, the retention decisions of career personnel are highly insensitive to external factors. However, after 20 years of service, retention drops precipitously, since members can begin claiming an immediate annuity roughly equal to half of their basic pay. Moreover, given the limited additional time a service member will be allowed to serve—a maximum of 30 years for most members—the best lifetime income-maximizing strategy after 20 years is to leave and start a second career.

If known gay men and lesbians were allowed to serve, the effect on recruitment and retention would depend on the importance of the change relative to these other factors affecting an individual's enlistment and reenlistment decisions.

**Possible Effect of a Policy Change on Accessions to the Enlisted Force.** DoD periodically surveys young people ages 15 to 24 to track their propensity to serve in the military. In the spring (April–June) and again in the summer (July–September) of 2010, DoD fielded two surveys with questions asking youth and young adults (1) how likely they would be to join the military in the next few years and (2) how repealing DADT would change their likelihood of joining. For the latter question, the spring survey asked how allowing gay and lesbian citizens "to serve their country openly" would affect their enlistment decision; the summer survey did not use the word "openly" and asked how allowing known gay and lesbian citizens to serve their country would affect their enlistment decision. We used responses to these two questions, taken together with past research on the relationship between stated intention to enlist and actual enlistment behavior, to project how repeal of DADT might affect enlistments.

Almost three-fourths of all respondents in this age group state that repealing DADT would *not* change their likelihood of joining the military. Among those who said that repeal would change the probability of enlisting, more respondents in both surveys report negative effects of the policy change than positive effects. However, the ratio of negative responses to positive responses shifted from 5:1 in the spring to 2:1 in the summer.

Among the small group who state that they are probably or definitely joining the military in the next few years, responses also varied across the two surveys—in the spring survey, attitudes about the effects of repeal among this group were similar to those of the overall population surveyed. In the summer survey, 31 percent of respondents with a high likelihood of service said a policy change would decrease the probability that they would enlist, while 21 percent said that it would increase their probability of enlisting.

Based on the responses to the spring survey, we project that enlistments would drop from 4.75 to 4.41 enlistments per 100 young adults if DADT were repealed—a relative decrease of 7 percent. In contrast, the summer survey responses indicate that enlistments would rise from 4.77 to 4.95 per 100 young adults following a repeal—a relative increase of 4 percent. The surveys are concordant in that both suggest that any effects of the policy change are likely to be modest.

To put these estimates in context, a 7-percent decline in enlistments is similar to the decline expected from a 1-percent decrease in the civilian unemployment rate. A 4-percent increase in enlistments roughly equates to the expected change resulting from a 4-percent increase in military pay. Changes of this magnitude are well within the range of variation in the underlying enlistment rate since the all-volunteer force was established in 1973.

The fact that two surveys with similar protocols, fielded within a few months of one another, yield different predictions highlights the uncertainty surrounding estimates of the effects of repealing DADT. Sources of uncertainty include sampling error,

question wording, and the inability of youth to correctly predict how they will behave if circumstances change, among others.

Our primary conclusion that a policy change would likely generate, at most, modest changes in recruitment is supported by the responses to another question in the summer 2010 survey. Respondents were asked to rate a set of 33 items on a scale of 1 to 7, where 1 denotes a factor that is "not at all important" in affecting their enlistment decision, and 7 denotes a factor that was "extremely important" for their enlistment decision.

In terms of average importance to survey respondents, "repeal of 'Don't Ask, Don't Tell'" ranked 31st of the 33 items, behind such factors as "hav[ing] a job that makes you happy" (1st), "prefer college" (3rd), "do something you can be proud of" (7th), "physical challenge" (21st), and "other family members joined" (29th). The importance of repeal of DADT ranked ahead of "get away from gangs/high-crime neighborhoods" (32nd) and "not qualified [to join the military]" (33rd).

These data indicate that American youth and young adults do not view a potential repeal as a major factor influencing their decision to join the military.

**Possible Effect of a Policy Change on Retention of the Active-Duty Force.** Whether reenlistment would be affected by allowing known gay men and lesbians to serve depends on its importance relative to other factors that influence retention, in particular the requirement that a member must serve for 20 years before being eligible for a pension. We can gain some insight into whether retention might drop by considering the responses to the retention-related questions in the 2010 DoD survey of military personnel.

The DoD survey asked respondents whether they planned to stay in the military and how their retention plans would change if DADT were repealed. About 10 percent of active-duty personnel say that they were not planning to leave when their obligation ends but would leave sooner if DADT were repealed, but less than 6 percent also say that DADT repeal is more important than any of their top three reasons for staying. We do not know how many of this group will actually leave sooner, but we can assume that they are the group most likely to leave because of repeal.

The percentage of personnel identified as most likely to leave ranged from 2 percent among those in the Coast Guard nonoperational occupations to over 12 percent among Marines in combat arms occupations. If repealing DADT does in fact result in lower retention, the drop could be offset by increases in reenlistment bonuses, military pay, and allowances, just as many of the negative effects of frequent long and hostile deployments in the Army in 2005 and 2006 were offset.

**Possible Effect of a Policy Change on Recruitment and Retention of Gay Men and Lesbians.** We have insufficient data to estimate the change in the recruitment and retention of gay men and lesbians. Even if we assumed that every individual who would have been discharged under DADT stayed if DADT were repealed, the change in active-duty separations would be small. Even at their peak in 2001, discharges rep-

resented only 0.6 percent of all active-duty separations. Our uncertainty is even greater about how changes in recruitment overall would be affected by changes in the recruitment of young adults who are gay or lesbian.

**Health Implications—Chapter Seven**

A handful of health problems are more common among gay and bisexual individuals than in the rest of the U.S. population. In the 1993 report, our discussion of health issues focused on HIV/AIDS; here we review what has changed in the science of HIV/AIDS since then and describe new evidence concerning mental health problems, suicide, and substance use and their prevalence among gay people.

**Understanding HIV/AIDS.** In 1993, HIV/AIDS was one of the most pressing public health issues in the United States. Although the number of new HIV infections diagnosed each year had declined, it had reached a peak only a few years before, and the treatments available were not very effective. Those diagnosed with the infection could expect to live much shorter lives and to have substantial HIV-associated health problems.

In 2010, with advances in the science of HIV—its epidemiology, testing, and treatment—the situation is very different. The advent of highly effective antiretroviral therapy has transformed HIV from a commonly fatal disease to a chronic controllable condition. Guidelines for HIV testing have also changed, and rapid HIV antibody testing has made highly accurate testing more convenient and accessible. HIV transmission can be dramatically reduced with testing and treatment, and the emphasis in prevention has expanded from a focus on condom use during vaginal and anal sex to early diagnosis and treatment.

Today, the groups with the highest rates of new infections in the United States are men who have sex with men, blacks, and young people. Men who have sex with men have accounted for the majority of cases of HIV infection for most of the last three decades. After declining dramatically and reaching a low in the early 1990s, HIV incidence among this group has increased steadily and currently accounts for about 53 percent of new infections. Women who have sex only with women are at minimal risk for HIV infection; there are no documented cases of female-to-female sexual transmission in the United States.

Based on these general population data, gay men in the military are likely to have substantially higher risk of HIV infection than men who are not gay; however, they constitute a very small percentage of military personnel. Based on national patterns, black service members and young service members are also likely to have higher risk of HIV infection. Although risks to these two groups are not as high as risks to gay men, they make up much larger portions of the military. Moreover, gay women are at considerably *lower* risk of HIV infection than others. Thus, increases in the number of gay persons serving are not likely to substantially alter rates of new HIV infection in the military.

Given the military's policy of screening all personnel for HIV before accession, very few individuals enter the military with HIV disease. However, some service members will contract the virus after accession. To preserve the health of these individuals and to limit the spread of HIV, early diagnosis and treatment are essential. We estimate that approximately 30 percent of military personnel meet the Centers for Disease Control and Prevention's (CDC's) criteria for annual HIV testing based on high-risk behavior. Military policy dictates repeat testing for active-duty members "no more or less than approximately every 2 years," prior to deployment, and for some other reasons. Some data suggest that, in practice, the military may be meeting the CDC recommendation of annual testing of high-risk individuals, though perhaps not for all such persons.

Were there to be an increase in HIV infection rates among service members, it would have minimal influence on the health of military personnel. This is because (1) rates are currently very low, (2) the population of gay personnel is small, (3) the infection will be detected early (within two years), and (4) HIV is treatable, and significant disability is unlikely to result for many years, given early diagnosis and treatment. There would be some effect on medical readiness to the extent that service policy limits overseas assignment of HIV-positive personnel.

**Understanding Behavioral Health Issues Among Gay People: Mental Health, Suicide, and Substance Abuse.** Depression and generalized anxiety disorder are serious conditions. Both are related to substance use, and major depression is also related to suicide and suicide ideation. A number of studies have found that rates of depression, anxiety disorder, and suicide are higher among gay men, lesbians, and bisexuals than among the general population. Research has also established that gay adolescents and young adults are more likely to smoke and to engage in heavy drinking.

However, elevated rates of substance use and mental disorder are unlikely to substantially affect readiness should more gay individuals choose to serve, given the overall prevalence of mental disorder in the military and the small percentages of gay service members. Indeed, should percentages of gay service members remain stable, a repeal of DADT might be expected to somewhat reduce rates of substance use and mental disorder. The stress of hiding one's sexual orientation may create or further exacerbate mental health problems among gay service members and limit the social support that they receive. If they were no longer required to hide their sexual orientation, the stresses and feelings of stigmatization might be reduced, perhaps also reducing substance use and mental disorder. As noted in Chapter Nine, more than half of the gay men and lesbians in our survey indicated that, as a result of DADT, their personal relationships have suffered, and they suffer from anxiety in their daily lives; 35 percent indicated that they were experiencing mental health problems.

## Opinions of Military Personnel

To understand the perspective of military personnel on potential repeal of DADT, we conducted 22 focus groups at ten military installations. We also surveyed serving gay personnel using a peer-to-peer survey technique. Neither the focus groups nor the survey of serving gay personnel is statistically representative of the force; however, they do provide valuable information that can help guide implementation if DoD decides to remove restrictions on gay individuals serving in the military.

Focus group members displayed virtually no hostility toward gay service members. Many participants said they knew gay men and lesbians who were serving and respected their contributions to the unit. Focus group members had diverse opinions about allowing gay personnel to serve without restriction but agreed that the military could rise to the challenge.

The majority of gay men and lesbians who responded to our survey reported that they did not talk about their sexual orientation in military settings. However, they also reported that many unit members already knew that there was a gay individual in the unit. If DADT were repealed, about half of those now hiding their orientation would disclose it selectively, depending on circumstances, but three-fourths of respondents indicated that they would take a "wait and see" attitude before changing their behavior because of DADT repeal. Respondents viewed clear leadership commitment, clear conduct standards for everyone, and zero tolerance for harassment as critical for successful policy change.

Respondents attributed a range of personal problems to DADT, including risk of blackmail, damage to personal relationships, stress and anxiety, and mental health problems. About two-thirds thought that repeal would be a change for the better with respect to unit performance; the rest thought that there would be little or no effect.

### Focus Groups of Military Personnel—Chapter Eight

We conducted focus groups with current service members during June, July, and August of 2010. Each group included approximately ten service members. The groups were conducted at a range of military bases, as indicated in Figure 1.6, and were conducted separately for men and women and for individual ranks. In total, we talked with about 200 service members from the Army, Navy, Air Force, and Marine Corps, as well as a few members from the Coast Guard.

Unlike focus group members in 1993, participants displayed virtually no hostility toward gay people. Almost all participants said that they personally knew gay men and lesbians who are serving, in spite of the current prohibition on revealing sexual orientation. For the most part, participants respected the service of the gay or lesbian service members they knew and did not believe those gay individuals should be separated from the service. Nonetheless, opinions about allowing gay people to serve without restriction were extremely diverse and actively debated.

**Figure 1.6**
**Focus Group Locations**
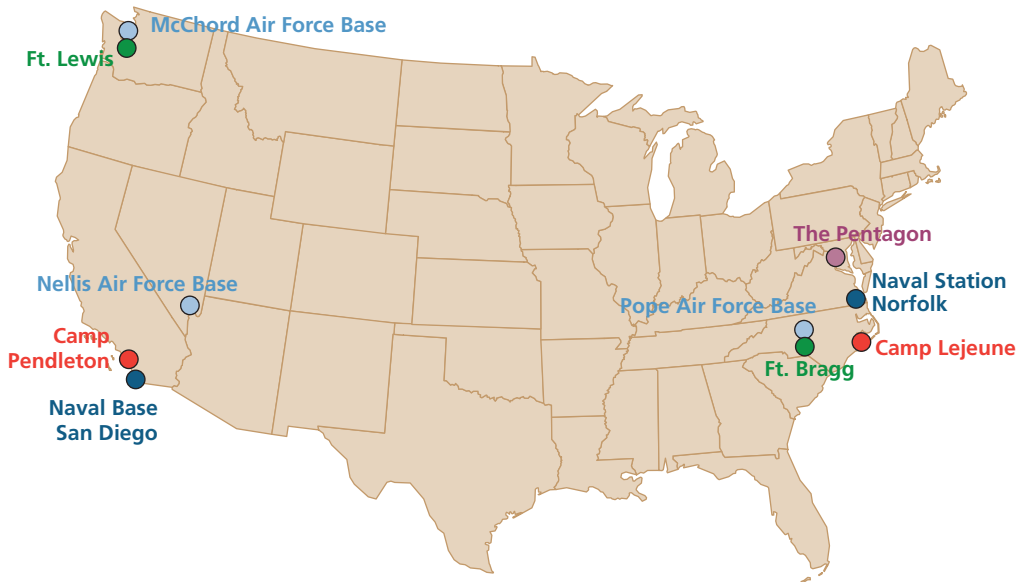
Some participants felt that DADT posed problems for the military, primarily by causing psychological stress on the affected service members. Some felt that the policy was not clearly understood or consistently enforced and was not fully compatible with military values of honesty and professionalism. However, many others thought that DADT worked well and should not be changed.

Focus group members expressed a wide range of opinions about the possible effects of repealing DADT. Some participants expected serious problems; others believed that it would be a very minor change. Potential problems frequently mentioned included harassment of gay service members by heterosexuals, sexual harassment of heterosexuals by gay service members, increased administrative workload associated with the new policy, and possible changes in military culture and community life. The participants generally thought that problems might occur if gay men were included in infantry units (though this was often expressed by individuals who were not actually members of ground combat units). Few problems were expected from allowing known lesbians to serve.

Participants generally agreed that successful implementation of a new policy would require good leadership. This included giving clear and direct orders outlining unacceptable behavior for both gay and heterosexual personnel, consistency in enforcement throughout the chain of command, and zero tolerance for harassment. In contrast to 1993, there was widespread agreement that the military could rise to this

challenge if ordered to do so. Indeed, opponents of repealing DADT often portrayed this change as inevitable, but one that they would prefer to see postponed.

### RAND Survey of Gay, Lesbian, and Bisexual Military Personnel—Chapter Nine

RAND undertook an Internet survey of gay service members to learn how DADT is affecting them now, how they would respond if DADT were repealed, and what features of implementing a policy change they would find helpful or unhelpful. Because of the unusual nature of this survey and because so little is known about gay and lesbian military personnel, it is worth describing these results in some detail. RAND's survey is different from, and not connected with, the extensive survey mailed by DoD to about 400,000 service members in mid-July 2010.

Conducting a survey of serving gay military personnel is challenging for two main reasons—the need to preserve confidentiality for participants and the difficulty of sampling and engaging a group for which no lists and contact information are available.

Surveys that ask about illegal or stigmatized behaviors face challenges because they must preserve confidentiality. Therefore, we incorporated the strongest protection possible for survey participants.[6] We also needed to ensure that individuals who were recruited to participate understood that they would be safe from legal or other repercussions of participation and that gay service members would view the survey as an opportunity to express what was important to them about the potential repeal of DADT.

Since DoD does not maintain a list of gay service members, we could not use probability sampling to obtain results representative of this population. Instead, we considered several methods for sampling hard-to-reach populations. We settled on a peer-to-peer recruiting approach, based on the assumption that there are existing networks of gay, lesbian, and bisexual service members who are known to each other on which we could draw. We worked with nine organizations that either serve as personal and professional networks for gay service members and veterans or represent gay service members and veterans. We asked the organizations to identify and engage the cooperation of individuals who were currently serving on active duty to complete the survey and then ask others whom they know personally and who may qualify for the survey to complete it as well.

Of the 351 individuals who entered the survey website, 268 completed the survey. Of these, 208 indicated that they were gay, lesbian, or bisexual. The responses we report represent the stated views of these 208 survey participants, and we make no claim that they represent the views of all gay, lesbian, and bisexual service members.

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[6]  The survey was approved by RAND's Institutional Review Board, and the approval was confirmed in secondary-level review by DoD. It was licensed by Washington Headquarters Service after a substantive review of the questionnaire and methods by the Defense Manpower Data Center. We were also issued a Certificate of Confidentiality by the National Institutes of Health, the licensing agent for the federal government, which protects identifiable research information from forced disclosure.

The participants were well distributed across age ranges, but, compared with all uniformed service members, our sample included a disproportionate share of officers. Respondents include a good number of midgrade enlisted personnel but few in the junior or senior enlisted grades.

A fifth of the sample is female. This is a higher fraction than in the population of all service members but likely a smaller fraction than in the population of gay service members.

**Awareness of Gay Men and Lesbians: Knowing and Telling.** Under the policy of DADT, service members are prohibited from revealing their sexual orientation. About two-thirds of the gay men and lesbians who responded to our survey reported that they did not talk about their sexual orientation or pretended to be heterosexual (Figure 1.7).

However, they also reported that the members of their unit often know that there is a gay individual in the unit—either themselves or another gay person, if there is one. Among all respondents, only about one-tenth thought that no one in their unit was aware that there was a gay unit member; in contrast, one-third indicated that all or almost all of the people in their unit were aware that there was a gay unit member. This is consistent with the statement of focus group participants that many service members know of another service member who is gay.

The participants' own disclosure behavior influenced their estimates of other unit members' awareness (Figure 1.8). For example, one-third of participants who did not disclose their own sexual orientation thought that more than half of their unit members were aware of a gay unit member; in contrast, 65 percent of participants who reported being open or somewhat open about disclosure held that view.

**Figure 1.7**
**Disclosure of Sexual Orientation Under DADT**
**(percentage of respondents)**
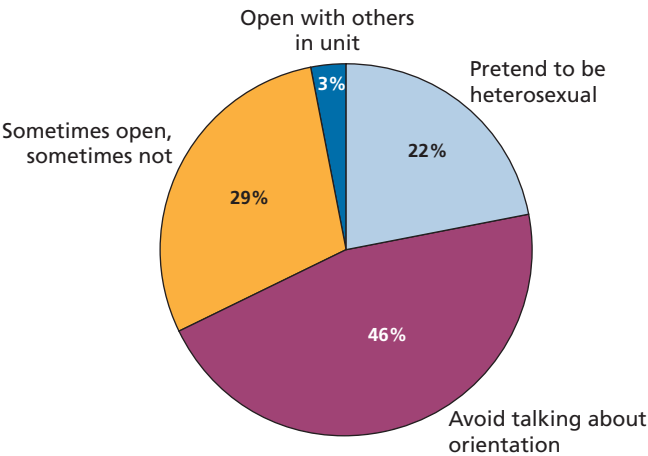


SOURCE: RAND survey of gay, lesbian, and bisexual military personnel.
RAND *MG1056-1.7*

**Figure 1.8**
**Estimated Reported Awareness Among Unit Members That Respondent's Unit Includes a Gay Unit Member, by Whether Respondent Discloses Own Orientation**
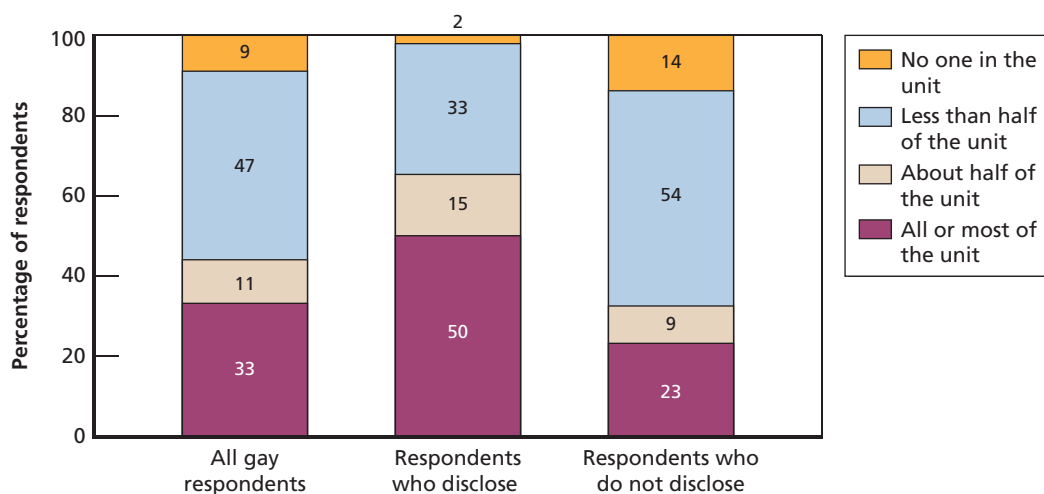


SOURCE: RAND survey of gay, lesbian, and bisexual military personnel.
RAND *MG1056-1.8*

The data suggest that "knowing" is more widespread than "telling." In slightly more than half the cases in which an individual's sexual orientation was known, the gay or lesbian service member had told others, but in almost as many cases orientation instead became known through a number of other avenues, including assumption based on how the person looks or acts, direct observation of behavior, participation in a social networking site, or specific attempts to identify unit members who are gay. Sexual advances were almost never reported to be the reason that others in the unit learn that a unit member is gay.

**Effects of DADT on Gay Service Members.** To learn how DADT affected gay service members, we asked respondents to identify personal costs that they attributed to the DADT policy, including problems with personal issues, relationships with unit members, and stress and anxiety in daily life. The vast majority said that DADT puts gay personnel at risk for blackmail or manipulation and had an adverse affect on their personal and unit relationships. To a much lesser extent, they reported being teased or mocked. A sizeable fraction—35 percent of respondents—attributed mental health problems to DADT. Seven percent reported having been threatened or injured by other members of the military because of their sexual orientation.

DADT also influences the intentions of gay men and lesbians to stay in the military. More than half of respondents said that they would not stay in the military unless DADT were repealed; about two-thirds reported being much more likely to stay if DADT were repealed.

**Disclosure of Sexual Orientation if DADT Were Repealed.** The experience of the foreign militaries and domestic police and fire departments we visited in 1993 and in 2010 suggested that the process of sharing one's sexual orientation is private and gradual (see Chapters Ten and Eleven). Our survey results support that conclusion. Figure 1.9 compares current disclosure behavior with what respondents said they would do if DADT were repealed. About half of those who now pretend to be heterosexual or avoid talking about their personal lives indicate that they would disclose their orientation selectively, "depending on circumstances and who is involved." Eighty percent of those who disclose selectively now expect to continue this behavior. Thus, the large majority say that they will continue to be selective in revealing their sexual orientation (as gay men and lesbians are in civilian life—see Chapter Four).

Three-fourths of respondents indicated that they would initially take a "wait and see" attitude before adjusting to DADT repeal. We asked what features of implementing DADT repeal would make respondents more comfortable about disclosing their sexual orientation, to the extent that they wished to do so. The strongest support was for clear leadership commitment, establishing clear conduct standards for everyone, and enforcing zero tolerance for harassment based on sexual orientation (Figure 1.10).

Respondents thought that there should be training for leaders at all levels on how to implement the new policy and that implementation should be rapid and complete. Just over half said that it was very or extremely important that the policy change should be kept low key, and another 30 percent said that this would be somewhat important. Respondents disagreed about whether it would be helpful to require sen-

**Figure 1.9**
**Disclosure of Sexual Orientation Under DADT and Repeal**
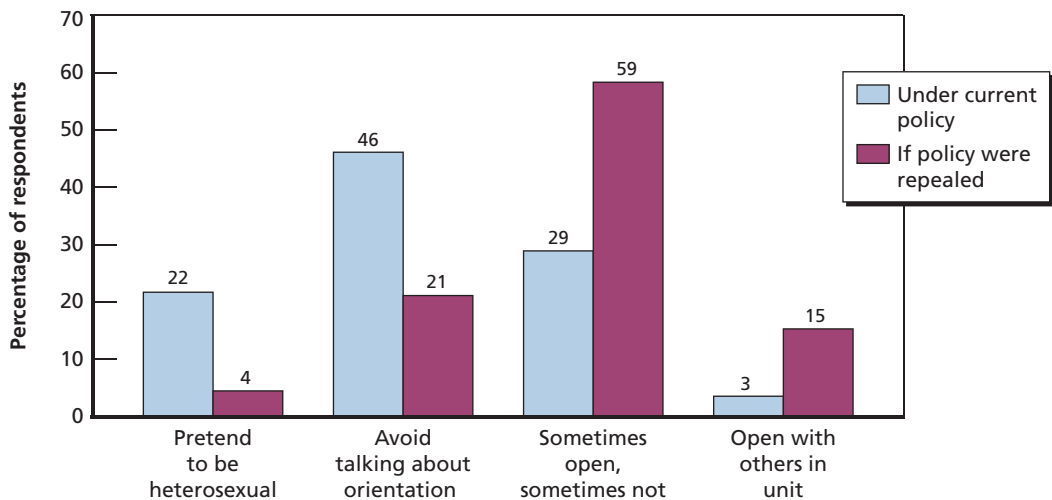


SOURCE: RAND survey of gay, lesbian, and bisexual military personnel.
**RAND** *MG1056-1.9*

**Figure 1.10**
**Factors That Would Make Respondents More Comfortable About Disclosing Their Sexual Orientation**
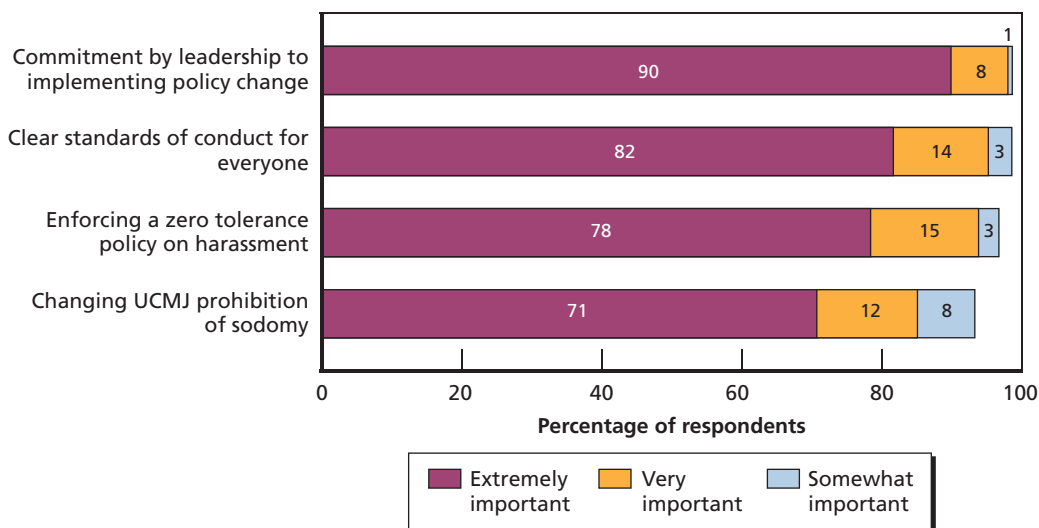


SOURCE: RAND survey of gay, lesbian, and bisexual military personnel.
RAND MG1056-1.10

sitivity training, including information about gay and lesbian history and culture. A majority (60 percent) thought training was important to some degree, but about one-fifth thought that sensitivity training would actually make implementation more difficult for them.

Respondents believe strongly that the fears expressed by some nongay service members if DADT were repealed will not come to pass. In particular, they *disagree* that

- Gay men and lesbians will make frequent, unwanted sexual advances (99 percent disagree).
- Straight service members will be less likely to risk their own lives to help a known gay or lesbian service member (89 percent disagree).
- Many people in the military will not follow orders from someone they know is gay or lesbian (88 percent disagree).
- Gay men in the military will act effeminate (84 percent disagree).
- Having gay and straight individuals as roommates is always awkward (82 percent disagree).
- Being able to make jokes about gay people is important to the way people get along with each other in the military (67 percent disagree).
- Having known gay men serve in infantry units is more of a problem than in other types (65 percent disagree).

## The Relevant Experience of Institutions in Which Gay Individuals Currently Serve, Work, and Study Without Restriction

Understanding the experiences of other institutions that have removed restrictions on gay people can be instructive for assessing proposed changes in U.S. military personnel policy. To that end, we visited a number of foreign militaries that have years of experience with gay service members being allowed to serve without restriction in their forces. The militaries we visited have all recently engaged in combat operations, many alongside the U.S. military.

Our major allies have allowed gay individuals to serve without restriction for a number of years. They report no effect on unit performance or on their ability to meet recruitment goals. No country provides special accommodations for privacy or special training on sexual orientation.

We visited police and fire departments to better understand the experience of American institutions. Including police and fire departments is appropriate because many members of these departments also serve in the reserve components—the National Guard and reserve—of the U.S. military. Several of the departments we visited were in cities judged to be politically conservative and where religious organizations not favorable to gay individuals are relatively strong.

We talked with several federal agencies with which the military often operates at home and overseas to determine if there were lessons that could be learned from their experiences. To understand overall policy for the federal civilian workforce, we talked with the Office of Personnel Management in Washington, D.C. Finally, we talked with the office that sets civilian personnel policy for DoD. We note that over 88,000 members of the military reserve components are also DoD civilian employees.

We spoke with private sector companies about their practices and with experts from the Society for Human Resources. We also talked with a number of American colleges and universities: Colleges attract young adults of the same age as most military recruits, and both groups live in assigned shared housing.

The police and fire departments we visited, as well as federal agencies, major corporations, and colleges, all report that they have allowed gay individuals to participate without restriction in their organizations without problems or negative effects on performance by applying a strict policy of antidiscrimination and without making specific accommodations.

The relevant literature and the experience of the foreign militaries and domestic organizations we visited suggest that policy change is a process that must be motivated, clearly communicated, and sustained through monitoring and reinforcement.

**The Experience of Foreign Militaries—Chapter Ten**

During the spring and early summer of 2010, we visited Australia, Canada, Germany, Israel, Italy, the Netherlands, and the United Kingdom. Important characteristics of each country are summarized in Table 1.1.

We held extensive discussions in each country, as indicated in Table 1.2. In general, we found that policies were changed because of some outside factor—i.e., the idea of change did not come from the militaries themselves. At the time of the change, gay people were not completely accepted in civilian society; military leadership and troops often resisted the change, and some predicted severe consequences.

The countries we visited all instituted change in a similar manner. They manage behavior through codes of conduct applied equally to all service members without regard to sexual orientation. No country provides any special accommodations for privacy—such as separate or private showers or the right to change room assignments—to any of its service members, regardless of their sexual orientation. Leadership plays a critical role, and commanders are expected to manage any issues at the unit level, just as other interpersonal conflicts are managed. Very few of the formal complaints that are lodged involve issues related to sexual orientation.

**Table 1.1**
**Legal Context Surrounding Policy Changes in Foreign Militaries**

| Country | Year Gay Personnel Allowed to Serve Without Restriction | Legal Catalyst for Change | Year Civil Partnerships Legalized | Year Gay Marriage Legalized |
|---|---|---|---|---|
| Netherlands | 1974 | None | 1998 | 2001 |
| Australia | 1992 | Influenced by international human rights law | Not legal[a] | Not legal |
| Canada | 1992 | Court ruling that policy violated national law | Varies by province | 2005 |
| Israel | 1998 | None | 1994 | Not legal[b] |
| United Kingdom | 2000 | Decision by European Court of Human Rights | 2004 | Not legal |
| Germany | 2000 | Anticipated EU directive and court ruling | 2001 | Not legal |
| Italy | No formal change | None, but consistent with national law and EU directive | Not legal | Not legal |

SOURCE: Discussions during country visits and GayLawNet, 2010.

[a] Same-sex "de facto" relationships were given the same status as opposite-sex relationships in 2008. Some states have relationship registries.

[b] Since 2006, Israel has recognized same-sex marriages performed elsewhere.

**Table 1.2**
**Discussions Held, by Country**

| | Australia | Canada | Germany | Israel | Italy | Nether-lands | United Kingdom |
|---|---|---|---|---|---|---|---|
| MOD officials and experts | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Officers with command experience | ✓ | ✓ | | | ✓ | ✓ | ✓ |
| Serving gay personnel | ✓ | ✓ | ✓ | | | ✓ | ✓ |
| Chaplains | ✓ | ✓ | ✓ | | | ✓ | ✓ |
| Civilian academics, experts, and advocates | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ |

NOTE: MOD = Ministry of Defence or Ministry of Defense.

Countries differ in how proactively they manage the process of allowing gay personnel to serve without restriction; however, no country provides separate training on issues related to sexual orientation, although some incorporate examples involving gay people into existing training on diversity. In several countries, officials volunteered that it was much harder to integrate women into the force than to allow gay people to serve without restriction.

The countries we visited shed light on many of the issues that may arise if the United States changes policy. In these militaries, gay service members remain sensitive to the attitudes of other unit members. It was reported to us that fewer gay service members came out in the units with reputations for being less friendly to gay personnel, which generally included elite combat units, such as special forces, and infantry. Chaplains say that they are able to counsel and refer gay service members while maintaining their religious beliefs. The provision of family benefits evolved over time, with few benefits extended to same-sex partners when the policies on service changed. When civil partnerships became legal in the respective countries, military family benefits followed the new laws.

Central to the issue of allowing known gay men and lesbians to serve is how the change might affect military effectiveness and the ability of the military to attract and retain personnel. The officials, commanders, and other service members we met with all reported that the policy had not affected unit performance in any way. Furthermore, all the countries we visited have participated in combat operations since their policies changed—sometimes working very closely with U.S. forces—and they report that sexual orientation has not been an issue during these operations. Some commanders told us that sexual harassment of women by men poses a far greater threat to unit performance than anything related to sexual orientation. Some commanders and serving personnel reported that the policy change had actually improved unit performance because gay personnel could now devote full attention to their jobs.

In every country, military officials told us that they observed no changes in recruiting and retention after the policy change. So many factors affect recruiting and retention that it is difficult to isolate the effects of the policy change, but no countries reported any problems reaching recruiting and retention targets, and none chose to revisit their policies in any way. No country specifically recruits gay personnel, but many do reach out to the gay community through advertisements in the gay press or by hosting recruiting booths at gay pride events in order to demonstrate that the militaries are a diversity employer of choice and are open and inclusive to all.

### The Experience of Domestic Agencies: Police, Fire, and Federal Agencies— Chapter Eleven

We selected a group of urban areas sufficiently large to support police and fire departments that had hierarchical command structures similar to the military and that varied across key dimensions: political conservatism, racial/ethnic composition of the population, and prevalence of military veterans. Our selection was also informed by a review of media reports, which helped us to identify cities that were either very successful in managing issues related to diversity in sexual orientation or had experienced very public problems (e.g., lawsuits). Important characteristics of the cities selected are summarized in Table 1.3.

We also included a number of federal agencies: the Federal Bureau of Investigation (FBI), the Central Intelligence Agency, the State Department, the U.S. Agency for International Development, the Department of Homeland Security, and DoD (concerning civilian personnel). These agencies regularly deploy personnel overseas and sometimes deploy alongside members of the military in war zones and conflict areas.

To gain a governmentwide perspective on the experience of working with gay personnel without constraints, we also interviewed officials from the Office of Personnel Management, the independent federal agency that oversees management of the federal workforce, and the Merit Systems Protection Board, a separate executive branch agency that conducts merit systems studies and adjudicates individual employee appeals. Table 1.4 summarizes the key similarities between the types of organizations we studied and the U.S. military.

In most agencies, including those comprising the federal civilian workforce, there are laws or executive orders that ban discrimination on the basis of sexual orientation. However, even those agencies that are not operating under formal policies are essentially enforcing workplace protections for gay employees. Since such practices have been in place for 15 or more years, many of the officials with whom we spoke had never known a time at their agency when sexual orientation could affect job-related decisions (e.g., hiring, promotion, assignments, firing).

Even though these agencies have nondiscrimination and antiharassment policies in place, we were told that most gay employees either choose to keep their sexual orientation to themselves or reveal it to selected coworkers on a case-by-case basis. Depart-

**Table 1.3**
**Municipal Police and Fire Departments**

| City or Region Name | Departments Included | Included in 1993 Study? | Sexual Orientation a Protected Characteristic? | Population | Nonwhite (%) | Military Veteran (%) | Conservative 2004 Vote Rank (out of 237 large cities) |
|---|---|---|---|---|---|---|---|
| Oklahoma City, Okla. | Police, fire | No | No | 540,000 | 40 | 12.5 | 22 |
| Orange County, Calif. | Sheriff | No | Yes | 3,000,000 | 54 | 7.0 | 51 |
| Houston, Tex. | Fire | Yes | Yes; 20+ years | 1,950,000 | 72 | 6.2 | 61 |
| Charlotte, N.C. | Police, fire | No | Yes; 2010 | 590,000 | 50 | 9.1 | 113 |
| San Diego, Calif. | Fire | Yes | Yes; 20+ years | 1,220,000 | 52 | 10.8 | 119 |
| Philadelphia, Pa. | Police | No | Yes | 1,450,000 | 61 | 7.8 | 220 |
| Chicago, Ill. | Police, fire | Yes | Yes; 20+ years | 2,730,000 | 68 | 5.5 | 221 |
| National | | | | | 33 | 10.3 | |

SOURCE: RAND interviews (protected characteristic status); U.S. Census Bureau, 2006–2008 American Community Survey (population, race, and veteran status); Bay Area Center for Voting Research (Bay Area Center for Voting Research, 2005; conservative 2004 vote rank).

**Table 1.4**
**Comparison of Organizational Characteristics in the U.S. Military and Domestic Agencies Selected for This Study**

| Organizational Characteristic | U.S. Military | Police Departments | Fire Departments | Federal Agencies |
|---|---|---|---|---|
| Is composed almost exclusively of American citizens | ✓ | ✓ | ✓ | ✓ |
| Is an all-volunteer force | ✓ | ✓ | ✓ | ✓ |
| Has hierarchical command structures | ✓ | ✓ | ✓ | ✓ |
| Requires teamwork in performing critical, even life-threatening, missions | ✓ | ✓ | ✓ | ✓ |
| Requires members to share housing | ✓ | | ✓ | |
| Deploys overseas | ✓ | | | ✓ |
| Deploys in war zones and conflict areas | ✓ | | | ✓ |

ments reported many more known gay employees than they did in the 1993 study, but the numbers remain small. At the same time, however, gay men and lesbians occupy prominent leadership positions in many of the organizations.

We were also told that most gay employees choose to keep their sexual orientation separate from their work environment or at least to have close control over with whom they share that information. Agencies also reported that enforcement of codes of conduct applicable to all personnel left no room for inappropriate behavior.

Interviewees reported that the presence of gay employees did not undermine unit performance and in some ways benefited the agencies. Performance of core public safety tasks was uniformly believed to be unaffected by the presence of gay individuals in the workforce. Numerous interviewees repeated this idea, emphasizing that what mattered most was the ability to get the job done. Some interviewees noted that coworkers who are intolerant of minority groups can disrupt work environments.

Several officials noted advantages to having gay employees. They believed that the legitimacy of their organization partly depends on their resembling the community that they serve. The FBI in particular noted that creating barriers for gay men and lesbians to join and grow in the organization would diminish the pool of high-quality employees available to the bureau and would affect the organization's performance.

Many agencies indicated that their newest recruits are more accepting of diversity, and this trend has helped the agencies adjust to having more known gay men and lesbians in their ranks. As this trend continues, they expected even fewer sexual orientation–related issues to arise.

The primary change now taking place in the organizations we visited is the extension of benefits to same-sex domestic partners. Three of the cities we visited currently extend benefits to registered same-sex partners, and Charlotte, North Carolina, was scheduled to extend them in 2011. Federal agencies, acting under guidance from the Office of Personnel Management, reported extending to same-sex partners any legally allowable benefits that are available to married opposite-sex partners. For those federal agencies that send employees overseas, even such benefits as relocation, healthcare, and visa assistance have been made available to same-sex partners.

Having openly gay employees is not without complications. However, many agencies cited far greater problems with issues of race and gender than with sexual orientation. The experience of firefighters offers the most relevant insight into issues of shared living quarters. Fire departments universally cited the integration of women as far more challenging than having known gay employees, and the scale of problems encountered with gay employees was almost always manageable at the lowest levels in the organization.

**The Experience of Other Domestic Organizations: Corporations and Universities—Chapter Twelve**

The 1993 report did not include research on businesses and universities. However, given our charter to provide information that might be useful to DoD in implementing repeal of DADT, our 2010 study included companies and institutions of higher learning that have implemented such policies. Although corporations and universities are very different from the military, they offer another perspective on how large institutions implement policies related to sexual orientation, the challenges they encounter, and the processes they use to address them. Colleges also attract young adults of the same age as most military recruits, and both groups are often leaving home for the first time and living in assigned group housing, typically with complete strangers.

**Private Sector Companies.** We chose companies with a reputation for having well-developed diversity programs, contractors with DoD who often deploy workers overseas in a variety of support roles, and energy or oil companies that deploy workers to remote or austere locations. The companies selected were Chevron, Constellation Energy, Coca-Cola Enterprises, Ernst & Young, IBM, Intel, Lockheed Martin, Northrop Grumman, PepsiCo, and Sodexo. All of these companies include sexual orientation in their diversity statements and harassment policies, dating back to the 1990s; one company adopted its current policy in 1984.

Our interviewees reported that explicit mention of sexual orientation in their diversity statements and harassment policies creates an environment in which gay employees can be more open about their sexual orientation. They reported that being "out" at work is a process that typically begins when an employee mentions his or her same-sex partner to someone else in the same circumstances in which other employees would mention a domestic partner or a spouse. The companies that we studied reported very few problems in the workplace related to sexual orientation. Complaints were reported through existing mechanisms for allegations of harassment or discrimination—no company had a hotline or special department for complaints specific to sexual orientation. While some companies are reactive about monitoring their diversity climate (i.e., responding to complaints), others take a more deliberate, proactive approach. The diversity and antiharassment training offered to employees is general in nature and includes all forms of diversity, including sexual orientation.

The primary policy changes that interviewees recalled pertained to benefits for same-sex partners of employees. The impetus for expanding benefits came from a number of directions. Some managers reported adding benefits as a way to attract the best employees. Others said that benefits were expanded because of a commitment from top management. During some of our conversations, the issue of providing benefits to opposite-sex domestic partners arose. We were told that the companies do not offer the same benefits to unmarried partners of the opposite sex as they do to same-sex partners because, unlike gay partners, heterosexual partners have the option of federally recognized marriage, which would allow them to receive benefits.

When interviewees were asked how policies related to sexual orientation affected performance, their response was universally a positive one. They also said that employees who are open about being gay can be more engaged in their work. Most of the companies emphasized the importance of leadership in supporting change and in establishing a climate of respect for all employees.

**Colleges and Universities.** We talked with senior officials at eight colleges and universities, including private and public, urban and rural, and religious and nonreligious schools. Officials at each school spoke to us with the understanding that we would not disclose the school's identity.

Although we selected colleges and universities with different characteristics, their policies and practices relating to gay and lesbian students were largely similar. All colleges assign students to live together randomly without regard to their sexual orientation (incoming students are not queried about their sexual orientation on housing forms), and, according to our interviews, complaints are relatively rare. When students complain about their roommates, it is more often about their personal habits, such as when they go to bed or how loudly they play their music. When complaints are made about being assigned a roommate who is gay, they often come from parents rather than from the students themselves. Colleges typically respond to such complaints by encouraging discussion and giving the roommates time to adjust to each other. If the problems persist, they are resolved the way any dispute about other living habits is resolved: The complaining student is eventually moved elsewhere.

All the colleges require some training for residential advisors and professional staff who live in the dormitories or counsel students. Several of the colleges require diversity or antiharassment training, which sometimes includes sexual orientation, for all incoming students.

Incidents of harassment do happen—the ones that most often come to the attention of school administrators take the form of offensive graffiti on a whiteboard or dorm room door—although, according to our interviews, such events are relatively rare. There is some real concern, however, that there are relatively few complaints of harassment because students who do not want to reveal their sexual orientation may decide not to report such incidents. Furthermore, studies of college students reveal that gay students have a less positive picture of the typical campus climate. That said, the inclusion of sexual orientation in diversity policies; the existence of on-campus centers for gay, lesbian, and bisexual students; diversity training; and other forms of institutional support offer policy options for schools that want to improve the campus experience of their gay students.

**Implementation—Chapter Thirteen**

In 1993, we reviewed what was known about implementing policy changes in large organizations to provide insights that might be useful if the ban on known gay service members were removed. The literature indicated that any new policy should be kept

as simple as possible, should impose the minimum number of changes on personnel, and should be implemented as quickly as possible. Top leaders should send a strong, consistent signal of support for any new policy, and leaders at all levels should use both rewards and sanctions to implement the new policy. Leaders must be trained and motivated to address and solve all implementation problems quickly.

Since 1993, the literature on organizational change has continued to expand. However, many of the most important lessons from the literature reported in 1993 remain unchanged. The literature and our visits with domestic organizations and foreign militaries suggest some guidelines for successfully implementing repeal of DADT. The guidelines can be viewed within three broad phases of change—preparing, implementing, and sustaining.

- *Preparing for change* entails motivating change so that members and outsiders understand how the new policy relates to the organization's mission and values. Studies of change emphasize that leaders at all levels of the organization, not just top leadership, need to signal their support for the new policy.
- *Implementing change* calls for leaders to communicate the change clearly, emphasizing that it is behavior that must conform, not attitudes. Training can give leaders the tools they need to handle situations as they develop.
- Finally, *the change effort must be sustained*. The effectiveness of the policy change should be monitored and policies reinforced, where necessary, and new leaders will need to be trained.

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# The History of "Don't Ask, Don't Tell"[1]

## Overview

The history of DADT is a story of two conflicting visions of how gay men and lesbians might be allowed to serve in the military. One vision was captured in President Clinton's January 29, 1993, memorandum asking for a draft executive order ending discrimination on the basis of sexual orientation. The other vision reflected the view that gay or lesbian sexual orientation is incompatible with military service. Rather than a compromise that all parties could live with, DADT became the focus of a continuing debate.

This chapter covers the inception and implementation of the 1993 DADT law and corresponding DoD policy. The events and political negotiations of 1993 set the stage for the implementation challenges that followed.

## Study Approach

This chapter draws on archives rich in textual materials as well as on oral histories provided by key individuals. The RAND team reviewed thousands of pages of congressional testimony and published literature. It also had exceptional access to more than 10,000 pages of records from the Office of the Secretary of Defense (OSD) dating from the 1980s through 2005. In addition, RAND researchers held extensive conversations with 20 or so prominent individuals, including current and former high-level government officials who played significant roles in shaping the history of the policy.

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[1] This chapter was prepared by Agnes Gereben Schaefer, Ely Ratner, Stephanie Young, Bernard D. Rostker, and Richard E. Darilek.

## Key Findings: The History of "Don't Ask, Don't Tell"

### The Origins of Department of Defense Policy on Sexual Orientation Before 1993

The legal and administrative history governing the service of gay men and lesbians in the military long predates 1993. Since the World War I era's Articles of War, the military has maintained a legal ban on sodomy and, through sodomy, on gay or lesbian sexual orientation (Burrelli, 1994, p. 17). During World War II, "Mobilization Regulations" stated, "Persons who habitually or occasionally engage in homosexual or other perverse sexual practices are unsuitable for military service and will be excluded" (Menninger, 1948, p. 228). Dr. William Menninger, the chief consultant in neuropsychiatry to the surgeon general of the Army (1943–1946), recounted after the war how the Army struggled with the issue of how to discharge soldiers who were determined to be gay while they were in service:

> Neither Army regulations nor . . . [the] War Department circular specified the method of disposition of the homosexual who was not guilty of any offense. It was common practice, however, to give "discharges without honor" to any homosexual on the premise that homosexuality constituted an undesirable trait of character. . . . [After October 31, 1945,] . . . it was made clear that enlisted personnel who were inadaptable because of homosexual tendencies, who had not committed any sexual offense while in the service, whose record of service was honorable, would be discharged honorably. . . . Throughout the war, and increasingly in late 1945 and 1946, reports came to me of individual soldiers who had given months and even years of good service and had then received a blue discharge of homosexuality.[2] (Menninger, 1948, pp. 230–231)

Menninger also reports that the issue of sexual orientation among women was "never a serious one in the WAC [Women's Army Corps]" (Menninger, 1948, p. 106).

After the war, the new DoD unified military policy:

> Homosexual personnel, irrespective of sex, should not be permitted to serve in any branch of the Armed Services in any capacity, and prompt separation of known homosexuals from the Armed Service is mandatory. (RAND, 1993, p. 6)

In 1951, Article 125 of the new Uniform Code of Military Justice (UCMJ) made sodomy—including oral and anal sex—an act subject to court martial (10 U.S.C. 925). While the UCMJ's prohibition on sodomy is meant to apply equally to same-sex and heterosexual activity, it was until recently a key legal basis for not allowing gay men and lesbians to serve (RAND, 1993, p. 339). In 1959, the first version of DoD Direc-

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[2]  The "blue discharges" were for undesirables, whose service was "under conditions other than honorable," and were conspicuously printed on blue paper (Menninger, 1948, p. 21).

tive 1332.14 on administrative discharges was published; it was subsequently revised in 1965, 1975, and 1982.

Prior to 1982, and despite the early policy mandating the separation of gay men and lesbians, inconsistencies among the services "resulted in substantial difficulties in responding to legal challenges in the courts" (GAO, 1992, p. 11). Addressing this problem in late 1981, Deputy Secretary of Defense W. Graham Claytor, Jr., developed a new policy that made "discharge(s) mandatory for admitted homosexuals and establishes very limited grounds for retention" (Claytor, 1981). As Claytor saw it, the new directives did not change policy but, instead, clarified and standardized policies that would, as a result, help DoD fend off court challenges.[3] They provided a single rationale for the ban, explaining that "homosexuality is incompatible with military service" because the presence of such individuals "seriously impairs the accomplishment of the military mission" (DoD, 1982). While past and competing rationales for the ban had included notions of the physical or mental unfitness of gay men and lesbians in the military, Claytor's policy grounded the ban in notions of military effectiveness. In an effort to make enforcement of the policy more uniform, he also provided a standard basis for separation from military service on grounds of sexual orientation: (1) a *statement* by a member that he or she is gay; (2) engagement in or attempted engagement in same-sex sexual *acts*; and (3) *marriage* or attempted marriage to a person of the same sex. These bases—statements, acts, and marriage—persist to this day and are important in understanding both the origins and the implementation history of DADT.

Despite these new directives, issues regarding fair and consistent implementation of the 1982 policy persisted throughout the decade. In fact, many of the difficult challenges that are frequently associated with DADT predated the policy itself, including improper investigations, inconsistent enforcement, and exploitation of the policy by some service members seeking to void their military commitments (GAO, 1992). The origins of DADT, therefore, are rooted in preexisting policies and problems. It was in this environment that the issue of gay men and lesbians serving in the military emerged onto the national political stage in the early 1990s.

## The Competing Visions of "Don't Ask, Don't Tell"

During a campaign event at Harvard University in October 1991, presidential candidate William Clinton for the first time stated publicly that, if elected president, he would sign an executive order to end discrimination on the basis of sexual orientation in the military. Later in the campaign and after the election he reiterated this commitment, but as *New York Times* columnist Thomas Friedman noted at the time, "Clinton simply cannot ram through Congress . . . more than a fraction of his campaign pledges" (Friedman, 1992). Friedman also noted, with a sense of warning in his

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[3]   The formal directives are Department of Defense Directive (DoDD) 1332.14 (enlisted), revised in 1982, and DoDD 1332.30 (officers), revised in 1986.

words, that lifting the ban "would involve the most radical change to the social fabric of the American military since President Harry S. Truman ordered the army integrated in 1948" (Friedman, 1992), especially since the chairman of the Joint Chiefs of Staff, General Colin Powell, had already declared that lifting the ban would be "prejudicial to good order and discipline" (Powell, 1995).

During his first weeks in office, the President's pledge garnered intense media attention and was met with widespread resistance from military and congressional leaders. Secretary of Defense Les Aspin's first meeting with the Joint Chiefs on January 21, 1993, was reportedly "dominated by an emotional, two-hour discussion of their concerns" about lifting the ban (Schmitt, 1993). Days later, the Joint Chiefs met with the President at the White House "at their urgent request" to further express their objections and explain the military's "solid wall of opposition to lifting the ban" (Clinton, 2004, p. 483; Powell, 1995, p. 571).[4] Meanwhile, on Capitol Hill formidable resistance was emerging on several fronts: Senators criticized the proposal to lift the ban, voiced dissatisfaction that Congress was not being consulted, and claimed constitutional authority over military personnel issues.[5] Shortly after the visit from the Joint Chiefs, Clinton met at the White House with several members of the Senate Armed Services Committee, including Chairman Sam Nunn (D-Ga.), who voiced his opposition to known gay men and lesbians serving in the military (Clinton, 2004, p. 483).

Concerned that Clinton would promptly issue an executive order, Senate Minority Leader Bob Dole (R-Kan.) warned that he would offer an amendment to the Family and Medical Leave Act to formally legislate the ban. The administration understood that Congress held the upper hand and that, if Clinton went ahead and issued an executive order, Congress would enact a reversal in response.[6] The President acknowledged that, "While the Commander in Chief and the Secretary of Defense can change military personnel policies, Congress can reverse those changes by law in ways that are difficult, if not impossible, to veto" (Clinton, 1993b). Faced with the prospect of congressional action to codify the ban on gay men and lesbians in the military, the administration struck a deal with the Joint Chiefs and the Senate leadership whereby Clinton agreed to postpone issuing a new policy for six months in exchange for Congress consenting to withdraw efforts to pass legislation immediately concerning the issue (Stephanopolous, 1999, pp. 126–128).

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[4]  Powell had already raised the issue at the conclusion of his first meeting with President-elect Clinton on November 19, 1992, when he cautioned that there was strong opposition in the military and Congress. See Powell, 1995.

[5]  See Clymer, 1993.

[6]  Secretary Aspin told National Public Radio on January 24, 1993, that, "At any point, Congress can overturn what Bill Clinton has determined. I mean, if Bill Clinton were to write an executive order today eliminating the ban on homosexuality in the military, Congress could, tomorrow, vote a piece of legislation that restores the ban" (National Public Radio, 1993).

On January 29, 1993, Clinton directed Secretary of Defense Aspin to draft by July 15 an executive order "ending discrimination on the basis of sexual orientation in determining who may serve in the Armed Forces of the United States" (The White House, 1993). At a press conference that day, the President outlined his goal of permitting known gay men and lesbians to serve in the military. Clinton's vision involved separating sexual orientation from conduct and creating a zone of privacy for gay service members, such that known gay men and lesbians could serve in the military as long as their behavior was otherwise consistent with high standards of conduct. Clinton explained this vision as follows: "I want to make it very clear that this is a very narrow issue. It is whether a person, in the absence of any other disqualifying conduct, can simply say that he or she is homosexual and stay in the service" (Clinton, 1993a). The President further announced that, with the consent of the Joint Chiefs, an interim policy would immediately take effect whereby questions of sexual orientation would be removed from military induction forms, thereby establishing the first "Don't Ask" component of the policy (Clinton, 1993a).

As part of Clinton's deal with the Senate leadership, DoD and Congress were to examine the issue in depth over the next six months. To advise Secretary Aspin on how to "end discrimination on the basis of sexual orientation . . . in a manner that is practical, realistic, and consistent with the high standards of combat effectiveness and unit cohesion" (Aspin, 1993a), the Pentagon stood up a Military Working Group (MWG) and engaged the RAND Corporation to provide "information and analysis required to structure the issues and . . . [develop] an analytic framework to evaluate a range of implementation alternatives" (Rich, 1993). Throughout the spring and summer of 1993, Congress held a series of hearings in the Senate and House Armed Services Committees concerning the issue.[7]

As the spring wore on, it remained clear that President Clinton did not have the backing in Congress to forge ahead with his original goal of ending discrimination on the basis of sexual orientation in the military. Explaining the political realities of the time, Clinton remarked that "those who want the ban to be lifted completely . . . must understand that such action would have faced certain and decisive reversal by Congress" (Clinton, 1993b). Instead, the administration adopted an alternative that came to be known as "Don't Ask, Don't Tell," whereby service members would not be asked about their sexual orientation, and gay and lesbian individuals would be required to keep that orientation private.[8] Once a gay service member's sexual orientation became known, however, sexual orientation would become grounds for investigation and dis-

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[7]  For a complete list of Senate Armed Services Committee (SASC) hearings and witnesses, see U.S. Senate Committee on Armed Services, 1993.

[8]  The term "Don't Ask, Don't Tell" was introduced by Northwestern University professor Charles Moskos. Moskos worked closely with SASC Chairman Sam Nunn and played a key role in shaping the contours of the DoD policy, as explained in Moskos, 1998.

missal. Although this meant that the President was compromising on his original goal of nondiscrimination for gay men and lesbians in the military, Clinton ultimately decided that working within the confines of DADT would achieve more than lifting the ban and then having it be overridden by Congress (Drew, 1994, p. 250).

On June 8, 1993, the MWG outlined the new policy for Secretary Aspin.[9] The working group reported that

> sexual orientation will be considered a personal and private matter; Sexual orientation alone is not a bar to service entry or continued service; Neither commander's inquiries . . . nor military criminal investigative organization (MCIO) investigations . . . will be conducted absent credible information; An education plan will . . . reinforce the principle that all service members can serve without fear of unwarranted intrusion into their personal lives. (Military Working Group, 1993c)

According to the MWG,

> While maintaining the *de jure* basis of the previous policy this policy acknowledges the *de facto* situation that some homosexuals have served, and presumably will continue to serve, in the Armed Forces under the unique constraints of military life. These constraints require members of the Armed Forces to keep certain aspects of their personal life private for the benefit of the group. . . . There will be no witch hunts; nor will there be stake-outs, sting operations, or round-ups absent specific allegations of proscribed conduct. (Military Working Group, 1993c)

On July 19, 1993, the President formally announced this new DoD policy at National Defense University (NDU) in Washington, D.C. Clinton told his audience that he believed that individuals "should be able to serve their country if they are willing to conform to the high standards of the military and that the emphasis should be always on people's conduct, not their status" (Clinton, 1993b). On the same day, Secretary Aspin signed a memorandum addressed to the service secretaries and the chairman of the Joint Chiefs that laid out the policy as presented to him the previous month by the MWG (Aspin, 1993b). The new policy made a distinction between sexual orientation and conduct: "Sexual orientation is considered a personal and private matter, and homosexual orientation is not a bar to service entry or continued service unless manifested by homosexual conduct" (Aspin, 1993b). In statement cases, "The servicemember [would have] . . . the opportunity to present the evidence that he does not engage in homosexual acts and does not have a propensity or intent to do so" (Aspin, 1993b).[10]

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[9]   The MWG worked with Professor Moskos to craft a policy that was first briefed to Secretary Aspin on May 21, 1993 (Military Working Group, 1993a).

[10]  Statement cases, as defined in DoDD 1332.14, are those in which a member makes a "Statement that a Member Is a Homosexual or Bisexual or Words to That Effect: Language or behavior that a reasonable person

The new policy also sought to set more-stringent standards for initiating investigations of alleged same-sex conduct. In what Aspin would call the policy of "Don't Ask, Don't Tell, Don't Pursue" (U.S. Senate Committee on Armed Services, 1993, p. 727), investigations could only commence on the basis of "credible information," and "Commanders and investigating agencies will not initiate inquiries or investigations solely to determine a member's sexual orientation" (Aspin, 1993b).[11] Furthermore, he wrote, "Commanders will consider, in allocating scarce investigating resources, that sexual orientation is a personal and private matter" (Aspin, 1993b). Clinton's vision of DADT was a policy of "live and let live" (Clinton, 2004, p. 485).

The day after Clinton's speech at NDU, Secretary Aspin, accompanied by the entire senior military leadership of DoD, went before a skeptical SASC. After several months of hearings, a majority of senators on the SASC had already made clear that they did not support the President's efforts to permit known gay men and lesbians to serve in the military. This was reflected in their response to the proposed policy. Senator Nunn announced even before Aspin's opening remarks that the "Armed Services Committee should handle this issue through the normal legislative process . . . [in order to] lay the foundation for Senate floor debate and serve as a guide for the Federal courts when these issues are adjudicated, as they will be" (U.S. Senate Committee on Armed Services, 1993, p. 697).

Concurring with much of the expert and military testimony, a number of senators argued that permitting known gay individuals to serve would compromise unit cohesion and military readiness. Senator Dan Coats (R-Ind.) remarked, "We have heard from a number of people in the military and those who have studied military effectiveness, all overwhelmingly support the current policy and do not advocate a change in policy" (U.S. Senate Committee on Armed Services, 1993, p. 194). Similarly, Senator Strom Thurmond (R-S.C.) noted that the "almost universal judgment of our Nation and military experts has supported the policy of excluding openly declared homosexuals from the Armed Services" (U.S. Senate Committee on Armed Services, 1993, p. 165).

The ensuing testimony also pointed to varying interpretations of what DADT might mean even as the policy was being developed. Senator Thurmond thought that the "rebuttable presumption may present a legal problem. At least . . . a problem for commanders and senior noncommissioned officers as they try to implement the policy" (U.S. Senate Committee on Armed Services, 1993, p. 266). Senator Nunn

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would believe was intended to convey the statement that a person engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts."

[11]  On the issue of credible information, the policy guidelines attached to the memo noted that "An allegation or statement by another that a service member is a homosexual, alone, is not grounds for either a criminal investigation or a commander's inquiry." The guidelines further articulated that activities such as going to a gay bar, reading "homosexual publications," and attending a gay rights rally did not constitute credible information (Aspin, 1993b).

charged that the policy was internally inconsistent, pointing out that in Aspin's open-ing statement "you say, 'That means no statement by a service member that he or she is homosexual.' Then you go on to say, 'A statement by a service member that he or she is homosexual or bisexual creates a rebuttable presumption that the service member is engaged in homosexual acts or has a propensity to do so'" (U.S. Senate Committee on Armed Services, 1993, p. 722). Summing up the sentiments of several members, Senator Coats remarked that the committee was "just starting to tap into what I think are some of the inconsistencies and maybe even direct contradictions that exist in the policy" (U.S. Senate Committee on Armed Services, 1993, p. 728).

It was clear that key members of the SASC remained skeptical of both the merits and practicalities of the administration's policy. After several months of hearings, Con-gress took matters into its own hands and passed an amendment to the Defense Autho-rization Act.[12] Offering an alternative vision of DADT, Congress rejected the distinc-tions between sexual orientation and conduct that the administration had so carefully crafted. The law stipulated that known gay men and lesbians would pose an "unaccept-able risk" to military effectiveness and that the exposure of gay or lesbian sexual orien-tation, irrespective of other same-sex conduct, was enough to warrant investigation and separation.[13] The law contrasted sharply with the original aims of President Clinton.

DoD issued regulations to implement the law in December 1993 and Febru-ary 1994 (DoD, 1993a, 1994). These directives did little to adjudicate between the competing congressional and administrative visions of DADT.[14] In fact, the directives contained elements of both. The Clinton administration's vision, which characterized sexual orientation as a "personal and private matter" and distinguished between sexual orientation and the "propensity to engage" in same-sex sexual acts, remained.[15] At the same time, the administration's directives allowed for interpretative discretion, defin-

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[12] Section 571 of FY 1994 National Defense Authorization Act, codified at 10 U.S.C. 654, Policy Concerning Homosexuality in the Armed Forces.

[13] The law stated: "The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability" (10 U.S.C. 654). As for the "don't ask" component, the law included a "Sense of Congress" that individuals should not be asked questions concerning sexual orienta-tion during the accession process, but it also gave the Secretary of Defense the authority to reinstate such ques-tions (10 U.S.C. 654).

[14] Burrelli notes that "some argued that this outcome would not have displeased the Clinton Administration, even if it was not the original intent. This thesis held that implementation of the compromise policy would have encouraged judicial intervention and, thereby, would have provided a means to seek a judicial resolution" (Burrelli, 2010, p. 3).

[15] This distinction is significant insofar as service members facing separation under DADT would have the opportunity in statement cases to "rebut the presumption" that they have a propensity to engage in same-sex sexual acts. The December 1993 directives define "sexual orientation" as "An abstract sexual preference for per-sons of a particular sex, as distinct from a propensity or intent to engage in sexual acts," whereas DoD stated, "Propensity to engage in acts means more than an abstract preference or desire to engage in homosexual acts; it indicates a likelihood that a Person engages in or will engage in homosexual acts" (DoD, 1993a).

ing "statements" as "language or behavior" and creating widely varying standards for what constituted grounds for investigation and discharge.[16] When all was said and done, the administration's policy directives and the DADT law had painted an ambiguous picture of the precise relationship between sexual orientation, statements, conduct, and propensity or intent, a picture fully captured in the policy that DoD was about to implement.[17]

The back-and-forth between the administration and Congress laid bare competing visions for the appropriate rules governing service by gay men and lesbians in the military. President Clinton had initially aimed to permit known gay men and lesbians to serve. When that proved politically untenable, he sought to provide greater protections for gay service members by establishing policies that separated sexual orientation from conduct and limited the conditions under which commanders could initiate investigations. Despite these efforts, those who opposed allowing known gay men and lesbians in the military pointed to the findings of the law, which said that the presence of known gay men and lesbians would create an "unacceptable risk" to military effectiveness. From their perspective, even though individuals would not be asked about their sexual orientation during induction, any manifestation of gay or lesbian sexual orientation remained grounds for investigation and discharge. Few parties were satisfied by DADT. The competing visions of what constituted statements, credible evidence, and a rebutted presumption would provide a basis for ongoing disagreements throughout the ensuing decade. Two influential advocacy groups established in 1993, the Servicemembers Legal Defense Network (SLDN), which supports military service without restriction for gay men and lesbians and provides legal services to gay service members impacted by DADT, and the Center for Military Readiness (CMR), which backs an outright ban, both found much to dislike in DADT. DoD, the services, the White House, Congress, and advocacy groups would continue to debate what the policy meant and how to interpret its ambiguities (each in support of their own vision). It is to this implementation history that we now turn.

## Key Findings: Implementing DADT

Ambiguity in the logic and standards of DADT policy provided space within which competing visions of the policy, as described above, played out. Debates persisted over

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[16] A "statement" was defined as "Language or behavior that a reasonable person would believe was intended to convey the statement that a person engages in, attempts to engage in, or has a propensity or intent to engage in homosexual acts" (DoD, 1993a).

[17] Burrelli notes in a recent report to Congress, "As written, the law makes no mention of sexual 'orientation,' and is structured entirely around the concept of sexual 'conduct' including statements concerning an individual's sexuality. Therefore, attempts to implement the statute, or analyze and evaluate it, in terms of 'sexual orientation,' have resulted in confusion and ambiguity, and are likely to continue to do so" (Burrelli, 2010, p. 6).

how a service member could "rebut" the presumption that he or she was gay; over the government's ability to recoup funds from a gay service member who was separated after making a statement concerning his or her sexual orientation and the "intent" of such a statement;[18] over the quality and extent of training; and over standards for investigations, as well as how to address issues of harassment. What was at stake was the ultimate meaning of DADT itself. In this section we review trends in discharges under DADT, how the major areas of contention developed, and recent changes in DADT policy, which were announced in 2010.

**DADT at a Glance: Discharges**

Over the last 30 years, there have been notable trends in discharges for sexual orientation in the military, as shown in Figure 2.1. From the early 1980s to 1994, the overall numbers steadily declined. Following the inception of DADT, discharges began to rise. Since 2002, they have fallen sharply.

Observers have offered competing explanations and interpretations of these periods. Critics of DADT, such as SLDN, have argued that the rise in discharges during the 1990s represented an increase in "witch hunts" and unwarranted investigations (Servicemembers Legal Defense Network, 2004). In contrast, DoD's own internal review argued that the policy was being implemented fairly and noted that most dis-

**Figure 2.1**
**Discharges for Sexual Orientation (1980–2009)**
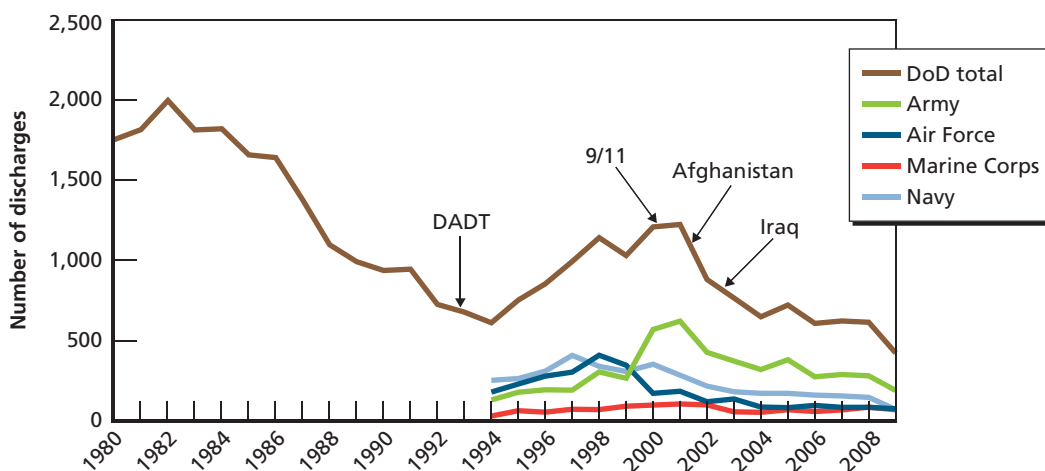


SOURCE: DoD Comprehensive Review Working Group.
RAND *MG1056-2.1*

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[18]  Recoupment entails the recovery of financial investments that the military has made in a service member (e.g., educational benefits).

charges under DADT were for statements (not acts) and went uncontested (Office of the Under Secretary of Defense [Personnel and Readiness], 1998). In contrast to SLDN, an alternative explanation posited by Charles Moskos and others was that the rise in statement cases occurred because service members (regardless of their sexual orientation) were seeking to escape their military obligations (Burrelli, 2010).

Separations under DADT have fallen dramatically since 2002. The precise reason for this phenomenon is unknown. It has not been official policy of the United States to exempt the discharge of gay men or lesbians as part of "stop loss" policies used to reduce the effects of personnel turnover during wartime (Burrelli, 2010). Nevertheless, the downward trend in discharges has been widely attributed to the wars in Afghanistan and Iraq, as discussed later in this chapter.

**The "Rebuttable Presumption"**

As originally envisioned by President Clinton, sexual orientation and conduct were separate and distinct. As discussed above, Clinton sought a "zone of privacy" in which a known gay person could serve as long as his or her behavior was consistent with "high standards of conduct." According to DoD's DADT directives, a service member's statement that he or she was gay created a "rebuttable presumption that the service member is engaging in homosexual acts or has a propensity or intent to do so" (DoD, 1993b). The "propensity to engage" standard required a service member to prove a negative—that he or she was not likely to engage in same-sex sexual acts (Embser-Herbert, 2007, p. 29). While the service member could attempt to rebut this presumption, as a *Washington Times* editorial pointed out, "It is impossible to tell how much of what kind of evidence would be required to rebut the presumption in question" ("'Rebuttable Presumption,'" 1993).[19] A landmark Navy case immediately focused attention on what evidence could be used to effectively rebut the presumption.

In January 1993, Lieutenant Zoe Dunning publicly declared that she was a lesbian at a political rally in support of then–President-elect Clinton's campaign pledge to allow gay men and lesbians to serve without restrictions. A military tribunal recommended her discharge in 1993. On appeal, her attorneys argued that since the law made no mention of sexual orientation and was structured entirely around the concept of sexual conduct, her statement related to sexual orientation and thus was not an admission that she practiced or intended to engage in same-sex acts. In December 1994, a three-member board unanimously agreed with Dunning's argument that her

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[19]  In 1995, an airman successfully rebutted the presumption to engage, demonstrating that the standard could be attained. It was the first Air Force case of its kind. The airman twice made statements acknowledging being gay but was retained after providing testimony from two fellow airmen and a chaplain that he had no propensity to engage. The discharge board found that "the respondent reluctantly and discreetly stated he was homosexual and that he did not engage in, intend to engage in or have a propensity to engage in homosexual acts." This case demonstrated that with corroborating evidence the presumption that orientation equals conduct could be successfully rebutted, at least in this case (Egeland, 1995).

public statement, "I am a lesbian," did not violate DADT.[20] The Chief of Naval Personnel affirmed the board's decision on May 24, 1995.[21]

This was directly counter to the "statement is conduct" paradigm implicit in DADT law and policy, as well as the concept of the "rebuttable presumption" (Burrelli, 2010). The case highlighted what some critics saw as an embarrassing "loophole" for DoD by which a person could "tell" and still be retained (Scarborough, 1995). If allowed to stand, it would have undermined DADT. As a matter of policy, it was not allowed to stand.

On August 18, 1995, DoD General Counsel Judith Miller stepped in to close the loophole.[22] In a policy memorandum to the DoD legal community, she invalidated future rebuttals that used the approach that had been successful in the Dunning case. Miller wrote:

> A member may not avoid the burden of rebutting the presumption merely by asserting that his or her statement of homosexuality was intended to convey only a message about sexual orientation . . . and not to convey any message about propensity or intent to engage in homosexual acts. To the contrary, by virtue of the statement, the member bears the burden of proof that he or she does not engage in, and does not attempt, have a propensity, [n]or intend to engage in homosexual acts. If the member in rebuttal offers evidence that he or she does not engage in homosexual acts or have a propensity or intent to do so, the offering of the evidence does not shift the burden of proof to the government. Rather, the burden of proof remains on the member throughout the proceeding. (Miller, 1995)

Advocates for gay service members took the Miller memo as evidence of DoD's vision of DADT as a policy intolerant of service by members with a gay or lesbian sexual orientation (Servicemembers Legal Defense Network, 2004). Michelle Benecke, cofounder of SLDN, told the *Washington Times*, "We've always said the 'rebuttable presumption' is a shallow promise, and this memo proves it. . . . This makes very clear that the Defense Department has no intent to abide by its own regulation, which says sexual orientation is not a bar to service" (Scarborough, 1995). In SLDN's view, the

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[20] Dunning's defense at her hearing in December was based in part on an August 1994 decision by the U.S. Court of Appeals in San Francisco. The court ruled that Navy Petty Officer Keith Meinhold's statement that he was gay was not the same as engaging in prohibited sexual conduct. The Clinton administration dropped attempts to discharge Meinhold. See Holding, 1995.

[21] Dunning retired from the Navy Reserve after 22 years of service in 2010, having attained the rank of commander (King, 2010).

[22] Pentagon sources told the *Washington Times*, "the memo is clearly in a response to the Dunning case," contradicting the official statement that "It was not done because of her [Dunning] . . . They—[the DoD lawyers]—just were reviewing the policy just for constant improvement to ensure that the policy is thoroughly understood and properly implemented" (Scarborough, 1995).

Miller memo was not about closing a "loophole," but about keeping known gay men and lesbians out of the military.

### Don't Pursue: "Credible Information"

When Secretary Aspin testified before the SASC on July 20, 1993, he referred to the new policy as "Don't Ask, Don't Tell, Don't Pursue" (Burrelli, 2010, p. 2). The meaning of "Don't Pursue" was problematic from the beginning and continues to be so to this day, with the most recent policy interpretation of the meaning of the phrase being issued in March 2010 (Entous, 2010).[23]

In May 1993, the MWG thought there was a need for "a uniform and practical basis for determining when to initiate inquiries and investigations" (Otjen, 1993), and, based upon the recommendations of an ad hoc advisory panel of senior service investigators and military attorneys, it provided this definition:

> Credible information of proscribed homosexual conduct exists when the evidence, considered in light of its source and all attendant circumstances, supports a reasonable belief that a service member has engaged in proscribed homosexual conduct. (Military Working Group, 1993b)[24]

The MWG argued that a "more restrictive evidentiary threshold for the initiation of inquiries or investigations" would compromise the ability of commanders to exercise their own discretion (Otjen, 1993). Although the MWG provided "representative scenarios of potential applications of the DoD Policy on investigations into Homosexual Conduct . . . to illustrate the principles and key points of the policy and to represent their likely application to a factual situation"[25] (Military Working Group, 1993b), the policy vested broad discretion in unit commanders to decide when and what evidence they could use to initiate investigations, thus opening the possibility that different commanders would assess the same facts in very different ways.

As originally envisioned in Aspin's policy statement of July 1993, such activities as hand-holding or kissing might qualify for further investigation, while participating in a gay pride parade, presence at a gay bar, or possession of gay publications were not sufficient to initiate an investigation (Aspin, 1993b). To many observers, such distinctions remained opaque and ambiguous. In a letter to the DoD general counsel, for example, Senator Thurmond pointed out that "A reasonable person might entertain the plausible belief that a member's personal patronage of a gay bar conveys a propensity or intent

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[23] See Department of Defense Instruction 1332.14 (DoD, 2010a), and Department of Defense Instruction 1332.20 (DoD, 2010b).

[24] Aspin's July 19, 1993, policy memorandum added the following words to this definition: "It requires a determination based on articulable facts, not just a belief or suspicion" (Aspin, 1993b).

[25] The MWG scenarios were also incorporated in "Training Guidance for DoD Policy on Homosexual Conduct in the Armed Forces," issued on December 21, 1993 (Dorn, 1993b).

to engage in homosexual conduct" (Miller, 1994). In response, the general counsel argued, "Although someone might entertain the suspicion that a person who repeatedly patronizes a gay bar has a propensity or intent to engage in homosexual conduct, mere suspicion does not constitute a basis for discharge" (Miller, 1994).

**Landmark Cases for the Credible Information Standard.** Over the years, there have been a number of landmark cases that have tested varying interpretations of the meaning of "Don't Pursue" and of what constitutes credible information. We address these cases below in the following order: First, the use of a pretrial agreement, which usually involves a guilty plea by the accused in exchange for a sentence limitation, at Hickam Air Force Base raised allegations of a "witch hunt," something the policy of DADT was supposed to eliminate;[26] this case ultimately led to DoD banning pretrial agreements in all cases involving sexual orientation. Second, the case of Chief Petty Officer Timothy R. McVeigh showed that even a trained military lawyer could run afoul of the policy and undertake an inappropriate investigation. Third, the 2000 Army Inspector General's Report on the allegations of policy violations at Fort Campbell also highlighted problems that junior officers and NCOs were having in implementing DADT. Following our review of these cases, we address the latest changes to what credible information means based on the modifications to DADT policy issued by Secretary of Defense Robert Gates in 2010.

*The Hickam Air Force Base Case.* In 1996, the Air Force issued court-martial charges against an airman at Hickam Air Force Base for nonconsensual sodomy (McKethan, Hewitt, and Lucy, 1996, p. 7). The airman offered to provide the names of "other persons with whom he had engaged in misconduct" (McKethan, Hewitt, and Lucy, 1996, p. 26) in exchange for a shorter period of incarceration. The Air Force accepted the deal and accused four airmen and one officer of violating the sexual orientation conduct policy. None acknowledged being gay, but a board found the information to be credible. The four airmen were administratively discharged from the Air Force, and the officer, given his higher status, was court-martialed with an additional charge of fraternization.

Critics saw the Hickam incident as the quintessential example of a "witch hunt." Representative Barney Frank (D-Mass.) pushed Secretary of Defense William Cohen to investigate Air Force actions in this case (Frank, 1997, p. 1). The Air Force Inspector General (AFIG) investigated and found that "DOD and AF regulations contain no specific guidance on the scope of questions that may be asked in preparing rebuttal evidence/argument" (McKethan, Hewitt, and Lucy, 1996, p. 27), and thus the conduct of the investigation fell to the subjective judgment of the commander. The AFIG also "found no evidence that the base personnel engaged in a 'witch hunt'" (McKethan, Hewitt, and Lucy, 1996, p. 26), nor that the pretrial agreement was inappropriate, since

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[26]  As the MWG had told Aspin on June 8, 1993, "There will be no witch hunts; nor will there be stake-outs, sting operations, or round-ups absent specific allegations of proscribed conduct" (Military Working Group, 1993c).

DoD and AF regulations "do not contain provisions specifically addressing pretrial agreements or offers of such agreements" (McKethan, Hewitt, and Lucy, 1996, p. 4).

Deeply dissatisfied with the official findings, SLDN issued its own report. It argued that the decision to investigate reflected a pervasive asymmetry between the treatment of same-sex and heterosexual conduct, given that heterosexual sodomy would never have been investigated in this manner (Squire, Delery, and Ellis, 1997, p. 13). Although the commander considered the evidence he was given "very credible," SLDN contended that the spirit of DADT should have prohibited asking for such "information about private, consensual, homosexual conduct" (Squire, Delery, and Ellis, 1997, p. 8).

In April 1998, the issue of pretrial agreements was again reviewed as a matter of policy by the Under Secretary of Defense (Personnel and Readiness) in a report to the Secretary of Defense:

> Agreeing to limit or reduce the sentence of a service member charged with serious criminal offenses in return for information concerning the consensual homosexual conduct of others is inappropriate in most [same-sex] cases. . . . Reducing a criminal sentence in order to obtain more allegations and thereby expand an investigation is inconsistent with the spirit of this policy. For these reasons, we recommend that the Department issue additional guidance to make clear that pretrial agreements should generally not be used to obtain information on consensual sexual conduct. (Office of the Under Secretary of Defense [Personnel and Readiness], 1998, pp. 9–10)

In 1999, a policy memorandum to the secretaries of the military departments was issued jointly by Under Secretary of Defense for Personnel and Readiness Rudy deLeon and DoD General Counsel Judith Miller. It directed that "pretrial agreements should not be employed to obtain information on consensual sexual conduct unless the conduct, by itself, would normally warrant investigation by a Defense Criminal Investigation Organization" (deLeon and Miller, 1999).

**The Case of Chief Petty Officer Timothy R. McVeigh, 1997.** In the Senate hearing on July 20, 1993, there was a sense that the nuances of DADT would confuse commanders and lawyers alike and that the issues would have to be resolved by the courts, which is exactly what happened in the case of Chief Petty Officer Timothy R. McVeigh (no relation to the man convicted of the Oklahoma City bombing). In this widely publicized case, a federal court found that the Navy had undertaken an inappropriate investigation.

Chief McVeigh was a sailor with 17 years of service who identified himself in his personal America Online profile as "gay." A third party alerted the Navy to the profile, and the Navy investigator sought and received America Online's assistance in identifying the individual with the user name in question. The Navy deemed this information to be credible and initiated an investigation; ultimately, McVeigh was ordered to be

"separated from the Navy because an investigation concluded [he had] a propensity to engage in homosexual conduct" (Herscher, 1998).

McVeigh took his case to the U.S. District Court on the grounds that the investigation had been inappropriate. His claim quickly garnered significant public and congressional interest.[27] The judge saw the case as raising the "the central issue of whether there is really a place for gay officers in the military under the new policy 'Don't Ask, Don't Tell, Don't Pursue,' . . . [and] what it practically means not to ask, not to tell, and not to pursue" (Sporkin, 1998).[28] As the judge saw it:

> The statute that came to embody this position, "Don't Ask, Don't Tell, Don't Pursue," was specifically drafted to allow members of the military to live private lives as gay men and women, so long as their sexual orientation remained unspoken . . . [and McVeigh] did not openly express his homosexuality in a way that compromised the "Don't Ask, Don't Tell" policy. Suggestions of sexual orientation in a private, anonymous email account did not give the Navy a sufficient reason to investigate to determine whether to commence discharge proceedings. (Sporkin, 1998)

The judge next addressed the notion of the rebuttable presumption and wrote, "Even if the Navy had a factual basis to believe that the email message and profile were written by . . . [McVeigh], it was unreasonable to infer that they were necessarily intended to convey a propensity or intent to engage in homosexual conduct" (Sporkin, 1998). In addition to ruling on the merits of the case, the judge admonished the ship's principal legal counsel and a member of the Navy's Judge Advocate General (JAG) Corps for carrying out an investigation in "pursuit of . . . [McVeigh that was] not only unauthorized under . . . [DADT] policy, but likely illegal under the Electronic Communications Privacy Act of 1986" (Sporkin, 1998), raising questions of how well the JAG Corps understood the DADT policy.

Despite the judge's stringent reading of the meaning of credible information and the rebuttable presumption, the Navy did not appeal the ruling and settled with

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[27]  See Frank, 1998.

[28]  Judge Stanley Sporkin of the United States District Court for the District of Columbia made it clear that he was no supporter of the policy and rejected the arguments that Senator Nunn had so carefully included in the law. Judge Sporkin wrote, "It is self-evident that a person's sexual orientation does not affect that individual's performance in the workplace. At this point in history, our society should not be deprived of the many accomplishments provided by people who happen to be gay. . . . Under the policy as it stands today, gay service members must be permitted to serve their country honorably, so long as they are discrete in pursuing their personal lives" (Sporkin, 1998).

Professor Moskos, the intellectual architect of the DADT policy, offered a statement on McVeigh's behalf asserting that the case was a clear violation of DADT: "In simple terms, Senior Chief McVeigh did not 'tell' in a manner contemplated under the policy" (Moskos, 1998).

McVeigh, granting him the full retirement benefits he would have received if he had been allowed to reach 20 years of service.[29]

*The Department of the Army Inspector General's Report of Fort Campbell.* In July 1999, during an investigation at Fort Campbell into the murder of a soldier perceived to be gay, the Department of the Army Inspector General (DAIG) found that "commanders, leaders, and soldiers at Fort Campbell do not have a clear understanding of the policy because training and informational materials do not adequately convey the substance of the policy" (DAIG, 2000, p. ES-7). At the same time, commanders at Fort Campbell told the DAIG that "the current implementing instructions [for DADT] restrain their latitude to conduct inquiries and preclude them from exercising reasonable discretion in initiating inquiries" (DAIG, 2000, p. ES-8). In other words, commanders felt constrained by a policy they did not understand and had not been trained to implement.

*The March 2010 Changes.* Over the last 17 years, the definition of "credible information" has evolved. The latest change came in February 2010, when Secretary of Defense Gates told Congress, "We believe that we have a degree of latitude to change our internal procedures in a manner that is more appropriate and more fair to our men and women in uniform" (U.S. Senate Committee on Armed Services, 2010). In March 2010, new regulations were issued that restricted the information a commander could consider "credible" and made the investigation and discharge of gay men and lesbians more difficult.[30] Gates announced that information gained from lawyers, clergy, psychotherapists, medical personnel, and public health individuals would no longer be used to initiate investigations (Carden, 2010), and to be considered "credible," information from a third party must now be given under oath. This more-narrow definition of what constituted credible information is the current iteration of DADT on paper, but, as always, it is the interpretation and implementation on the ground that matters most.

### Training

A policy consisting of ambiguous standards and subtle logic required a robust training program. Shortly after DADT was introduction in 1994, Assistant Secretary of Defense for Personnel and Readiness Edwin Dorn released training materials for the new policy. The training guidance emphasized that leadership would be the key to success and that personal beliefs should be immaterial to the implementation of DADT (Dorn, 1993a). The training guidance presented a series of hypothetical situations, each with an issue question and a discussion topic, along with a suggested appro-

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[29] McVeigh also reached a financial settlement with America Online, which acknowledged violating his privacy. See Bull, 1998.

[30] The new regulations also required that decisions to discharge members be reviewed by a higher headquarters before it can go forward.

priate response. The guidance mirrors the "demonstrative scenarios" developed by the MWG.[31]

The early emphasis on training reflected the extent to which proper dissemination of information and guidance was considered key to the policy's success. However, an OSD report in 1998, as well as a DoD Inspector General report and an Army Inspector General report in 2000,[32] all identified persistent and widespread confusion about the policy. These latter reports noted that after seven years of implementation, large numbers of service members continued to have insufficient understanding of the policy or no training at all on the policy. On August 12, 1999, a number of steps were ordered to strengthen training, increase the oversight of the secretaries of the military departments, and monitor whether training was being received by "those charged with application and enforcement of the policy on homosexual conduct—i.e., commanders, attorneys, and investigators" (deLeon, 1999b).

### Recoupment and "Intent" in Statement Cases

Between 1993 and the start of military operations in Iraq, the sharp rise in the number of discharges because of sexual orientation was largely the result of statements that were uncontested, and these discharges were handled through administrative channels. Charles Moskos and others have argued that one reason for the rise in statement cases was that service members, regardless of their sexual orientation, were seeking to escape their military obligations (Burrelli, 2010), especially after May 14, 1994, when Deputy Secretary of Defense John Deutch issued a policy memorandum that reiterated that "a member's statement that he or she is a homosexual, though grounds for separation . . . does not constitute a basis for recoupment" of education assistance funds, including ROTC and medical school scholarship funds, bonuses, and special pay (Deutch, 1994). Under this policy, the government could still recoup benefits if it could prove that the statement of gay or lesbian sexual orientation was made only for the purpose of abrogating a contract with the military. The services understood how difficult this would be and unsuccessfully pressed for a general policy whereby recoupment would be the norm, regardless of why a person was being separated from the military (Preston, 1994).

The central issue in recoupment cases was the intent of a member. The Air Force provided its staff judge advocates with extensive "tips for inquiry officers of cases involving members who state they are homosexual."[33] Advocacy groups charged that "commanders often conduct needless investigations for the purposes of seeking recoupment, rather than taking statements of homosexuality at face value" (Office of the Under Sec-

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[31]  See Military Working Group, 1993b.

[32]  See DAIG, 2000; Mancuso, 2000; and Office of the Under Secretary of Defense (Personnel and Readiness), 1998.

[33]  See Wider, 1995.

retary of Defense [Personnel and Readiness], 1998, p. 11). The senior personnel lawyer in the Navy stated, "If we can't establish by some reasonable evidence that [the service member] is lying, we are likely heading down a road we might want to avoid—not from a litigation risk perspective, but from a PR and Hill point of view" (Lynch, 1997). An unintended consequence of DADT was that it provided a means by which service members could leave the military during a term of service with few negative repercussions. Clamping down on these fraudulent separations also meant that the military would retain in service a member who had publicly stated his or her gay or lesbian sexual orientation. In 1999, in response to complaints by SLDN, DoD made it much more difficult to question the veracity of a statement of gay or lesbian sexual orientation by requiring approval at the "Military Department secretarial level" before an investigation could begin (deLeon, 1999b). Nevertheless, there have been some recoupment cases involving medical students and physicians in training who have announced their gay or lesbian sexual orientation after receiving support from government.[34]

**Harassment**

The 1998 DoD report on DADT cited the allegations of threats against, or harassment of, gay service members as the "most troubling allegation" they addressed. While they found only four cases of antigay threats or harassment, they were concerned that gay service members were not reporting incidents because of fear that such a report would result in an investigation of their sexual orientation (Office of the Under Secretary of Defense [Personnel and Readiness], 1998). A March 1997 memorandum was designed to ally those fears. It stated that "the fact that a service member reports being threatened because he or she is said or is perceived to be a homosexual shall not by itself constitute credible information justifying the initiation of an investigation of the threatened service member" (Dorn, 1997).[35] When it was reported that Private Barry Winchell, a soldier perceived to be gay, was bludgeoned to death in his barracks at Fort Campbell on July 5, 1999 (Hackett, 2000), new concerns about harassment were raised.[36] The details of the case are well covered elsewhere;[37] what is important was that what started as an inquiry into the death of a single soldier quickly turned into an investigation of a pattern of harassment that was determined to be pervasive throughout the military.

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[34]  In 2000, the Air Force reported that "about 20 Air Force members who graduated from its medical program were discharged between January 1996 and July 1999 for being homosexual" (Adams, 2000).

[35]  The policy was reissued in deLeon, 1999a.

[36]  For example, three months after the murder, in October 1999, President Clinton signed Executive Order 13140, extending broader protections for victims of crimes in the Armed Forces. Evidence that a violent crime was a hate crime, including on the basis of sexual orientation, could be presented as an aggravating factor during sentencing (The White House, 1999). While the White House claimed that hate crime protections had been under consideration for years, many observers interpreted the new order as a response to Fort Campbell. See Begines, 1999.

[37]  For example, see Burrelli and Feder, 2009; Clines, 1999; France, 2000; and Hackett, 2000.

In January 2000, the Secretary of the Army directed the DAIG to investigate not only the facts and circumstances surrounding Winchell's death as it related to DoD's sexual orientation conduct policy but also to "conduct an overall assessment of the command climate then existing at Fort Campbell, specifically as it relates to the application, enforcement, and training conducted on the DoD Homosexual Conduct Policy" (Caldera, 2000).

The resulting DAIG study, *DAIG Special Assessment/Investigation of Allegations of Violations of the DOD Homosexual Conduct Policy at Fort Campbell*, found that "overall, personnel [at Fort Campbell] indicated that the command climate was favorable" (DAIG, 2000, p. ES-4), but the command climate in Winchell's unit was poor, the "most significant factor . . . [being] the presence of an abusive NCO in a leadership position" (DAIG, 2000, p. ES-5). The DAIG did note "that the joking and bantering that occurred prior to July 1999 [when Winchell was murdered] on a regular basis could be viewed as harassment" (DAIG, 2000, p. ES-5).[38]

A follow-up DoD Inspector General (IG) report, ordered by Secretary Cohen in December 1999, broadened the investigation to cover the entire DoD. Secretary Cohen asked the DoD IG to assess the military environment with regard to DADT. Cohen specifically requested a review of the prevalence of antigay harassment and disparaging speech, including the extent to which it was tolerated (Mancuso, 2000). The DoD IG surveyed more than 71,500 active duty service members, probing perceptions regarding the prevalence of harassment and offensive speech, as well as service members' knowledge of and training on DADT.

The *Report on Military Environment with Respect to the Homosexual Conduct Policy*, released in March 2000, indicated that 80 percent of respondents reported hearing offensive comments during the preceding year (Mancuso, 2000). In a follow-up question, 85 percent reported having a perception that such speech was tolerated to some extent. Much less common were reports that members had witnessed harassment of specific individuals on the basis of perceived gay or lesbian sexual orientation.[39] Thirty-seven percent reported witnessing harassment at least once in the last year. The results with regard to training related to the policy echoed the findings of the DAIG report. While 97 percent of respondents indicated that they had some understanding of the policy, three follow-up questions on the content of the policy indicated that only 26 percent of those who claimed that they understood the policy answered all three questions correctly. More than half of the respondents, 57 percent, reported that they had not received any training related to the DADT policy.

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[38] The DAIG also substantiated verbal harassment of another soldier at Fort Campbell and Fort Knox (DAIG, 2000, p. ES-6).

[39] The definition of harassment included offensive speech, gestures, threats or intimidation, graffiti, vandalism, physical assault, limiting career opportunities, and disciplinary action.

Three days after Secretary Cohen received the DoD IG's report, he created an antiharassment working group chaired by the under secretary of the Air Force, Carol DiBattiste, to "examine the findings of a Department of Defense Inspector General report on harassment of military personnel who are alleged or perceived to be homosexual" (Office of the Assistant Secretary of Defense [Public Affairs], 2000). The working group produced a 13-point Anti-Harassment Action Plan (AHAP) in July 2000, recommending adoption of a single, departmentwide "overarching principle" regarding harassment, including that based on sexual orientation. The recommended policy statement said:

> Treatment of all individuals with dignity and respect is essential to good order and discipline. Mistreatment, harassment, and inappropriate comments or gestures undermine this principle and have no place in our armed forces. Commanders and leaders must develop and maintain a climate that fosters unit cohesion, esprit de corps, and mutual respect for all members of the command or organization. (Rostker, 2000)

The AHAP also recommended improved training, calling on the services to review training materials annually to ensure compliance. Under Secretary of Defense for Personnel and Readiness Bernard Rostker forwarded the AHAP to the services for implementation. These measures, Rostker wrote, "are critical to eliminating all forms of harassment and are essential to maintain the good order and discipline necessary [of] our forces" (Rostker, 2000).

### Transition to the Bush Administration

Former public officials and advocacy organizations have indicated that after the presidential transition in 2001, the new Bush administration showed little interest in dealing with "social issues" in the military.[40] With ongoing combat operations in Iraq and Afghanistan, administration officials also argued that revisiting DADT was unwise in a time of war (Chu, 2007b). In 2007 Under Secretary of Defense for Personnel and Readiness David Chu pointed to the relatively small number of overall discharges for same-sex conduct as an additional factor diminishing "the urgency to launch this debate" at such a sensitive time (Chu, 2007b). In 2004, Chu completed a review of the AHAP, noting that it had been "implemented throughout the Department, [but that] the degree of implementation varies among the [Military] Departments" (Chu, 2004). DoD would not, however, issue the "overarching" principle as a statement of policy (as recommended by the DiBattiste antiharassment working group); they had determined it was not necessary since "the Service policies and programs are sufficient to address this important issue" (Chu, 2004).

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[40] Discussions with high-level officials.

When asked about the future of DADT, the Pentagon took the position that it was simply implementing the policy established by Congress and "the Department will, of course, follow Congressional direction" (Chu, 2007a), and appeals to change the law were directed to that branch of government.

### From Reform to Repeal

In the context of this more hands-off approach to DADT in the executive branch, advocacy groups that had enjoyed access and influence during the Clinton years embraced new tactics. Earlier efforts had emphasized the gaps between DADT on paper and DADT in practice, but after 2000, energies began shifting from emphasizing the shortcomings of implementation to highlighting the need for repeal. For example, in 2004, SLDN stopped publishing their yearly report on how DoD was implementing DADT and shifted their resources to focus on Congress.

Emphasis on repeal has put Congress at the center of recent debates over the future of DADT. The first of a series of repeal bills was introduced in 2005, and in 2008 the Military Personnel Subcommittee of the House Armed Services Committee held the first hearings on the issue in 15 years. To inform the debate, members of Congress asked the Government Accountability Office (GAO) in 2005 to consider the policy's financial costs as well as the consequences of the loss of mission-critical service members, such as translators. The GAO reported:

> Over the 10-year period, it could have cost DOD about $95 million in constant fiscal year 2004 dollars to recruit replacements for service members separated under the policy. Also, the Navy, Air Force, and Army estimated that the cost to train replacements for separated service members by occupation was approximately $48.8 million, $16.6 million, and $29.7 million, respectively. Approximately 757 (8 percent) of the 9,488 service members separated for homosexual conduct held critical occupations, identified by DOD as those occupations worthy of selective reenlistment bonuses . . . . About 59 percent of the service members with critical occupations who were separated for homosexual conduct were separated within 2.5 years of service. The typical military service contract is for 4 years of service. Also, 322 (3 percent) of separated service members had some skills in an important foreign language such as Arabic, Farsi, or Korean. (GAO, 2005)

While the GAO report reflected concern that implementing DADT carried consequences for the department, it did not present a clear picture of the problem's size. The financial cost was difficult to estimate, as was the significance of the loss of service members in "critical occupations." The GAO found that most such service members were discharged early in a career with limited experience in their occupations, and relatively few of those with language training scored above the midpoint on DoD's language proficiency scales.

**The Impact of War on "Don't Ask, Don't Tell"**

Since 2002, there has been a sharp decline in discharges for sexual orientation, as noted in Figure 2.1. It is possible that the drop in discharges under DADT has resulted from a decrease in statements by gay men and lesbians in the military, but the rationale for such an argument is unclear. Instead, analysts and activists have cited three alternative explanations for the current trend. First, some have argued that commanders (particularly younger ones) are increasingly accepting of gay men and lesbians, having served alongside known gay men and lesbians in the U.S. and foreign militaries in Iraq and Afghanistan, as well as from other departments of the U.S. government, including the CIA, FBI, and NSA (Servicemembers Legal Defense Network, 2004).[41] Second, some have argued that commanders are reluctant to give up otherwise qualified soldiers during wartime. In 2005, as discussed, Congress asked the GAO to study "the extent to which the policy has resulted in the separation of service members with critical occupations and important foreign language skills" (GAO, 2005). This reflected the growing concern over mission-critical service members being discharged under DADT. And, third, some have said that commanders do not have the time and resources to implement and enforce DADT during wartime (Burrelli, 2010). Under this explanation, commanders at war have high-priority requirements and are deciding not to deal with administrative matters.

**Where Matters Now Stand**

Supporters of retaining DADT continue to argue that known gay service members will undermine military readiness and unit cohesion. They further assert that changing the law during wartime will place undue stress on the troops.

Since 2004, opponents of DADT have shifted their focus from the implementation of the law by DoD to efforts to repeal the law in Congress and legal challenges to the constitutionality of the ban on gay men and lesbians in the armed services. In his 2010 State of the Union address, President Barack Obama announced that he would work with Congress to repeal DADT. In early February, Secretary of Defense Robert Gates announced that he would appoint a high-level working group within DoD to review the issues associated with repeal. In March, Secretary Gates announced the revised standards for initiating investigations and discharging service members.[42] Since then, there have been a number of actions in the House and Senate to move legislation forward. As of October 2010, Congress is waiting on a report and recommendation from the administration on its final recommendations.

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[41] For example see CBS News, 2008; Londono, 2010; and Stone, 2008. This was reflected in the focus groups conducted for this study, as discussed in Chapter Eight, and in results of our survey of serving gay personnel, as reported in Chapter Nine.

[42] The new Gates directives established a narrower definition of "credible information" by limiting the information that could be used to initiate investigations. It also required decisions to discharge members to occur at a higher level of responsibility (Carden, 2010).

In September 2010, a federal judge in Riverside, California ruled DADT to be unconstitutional on First Amendment and equal protection grounds. Pending final congressional action, the last word on DADT may well be from the U.S. Supreme Court.

## Summary

The history of DADT is a story of a 17-year debate over two conflicting visions of how gay men and lesbians might be allowed to serve in the military: President Clinton's goal of ending discrimination on the basis of sexual orientation and the view that gay or lesbian sexual orientation is incompatible with military service. With the passage of DADT in 1993, the focus of the debate shifted to how a service member could "rebut" the presumption that he or she was gay; to the government's ability to recoup funds from gay service members who were separated for the good of the service after making statements concerning their sexual orientations and the "intent" of such statements; to the quality and extent of training; to standards for investigations; and to how to address issues of harassment. Since 2004, the focus has been on Congress and whether or not to repeal DADT.

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# Context: Broad Social Changes and Public Opinion[1]

## Overview

The major public institutions in American society—the military included—have historically reflected the values, norms, and mores of the time, sometimes serving as the vanguards of change and at other times adapting in response to larger societal changes and pressures. We focus in this chapter on three such areas of social change. First, we discuss the increased visibility of gay men and lesbians in American society since 1993 (this is discussed in more detail in Chapter Seven). Second, we describe the increased visibility of gay and lesbian issues (e.g., hate crimes, same-sex partner benefits, and same-sex marriage) in the public discourse and the legal environment. We conclude by examining shifts in public opinion over the past 17 years.

Changes in all these areas contribute to a societal context that is very different from the one in which DADT emerged in 1993. Gay people are now more visible in the workplace and elsewhere, and gay and lesbian issues have received attention at the state and national levels in the intervening 17 years. Nearly 80 percent of Americans say they know someone who is gay or lesbian. American public opinion about gay people has become substantially more positive. More than half of Americans are accepting of gay people, and almost everyone agrees that they should have equal rights in job opportunities. The majority of Americans are also in favor of allowing gay people to serve in the military without restriction.

## Study Approach

For the current study, we examined trends in the public discourse, legislative environment, and public opinion since 1993. Most of the data discussed in this chapter are from major news organizations, legal records, and general public opinion polls conducted by major polling and news organizations. We found a large number of public opinion polls that included questions about general attitudes on gay issues and more

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[1]   This chapter was prepared by Eric V. Larson, Agnes Gereben Schaefer, and Susan Hosek.

specific attitudes on military service by gay men and lesbians. We employed several criteria to select the most relevant and well-designed polls:

- sampling methods that use probability samples rather than convenience samples and can be used to obtain estimates for the U.S. adult population (or voters, but most are representative of the total population)
- questions that are objective and well designed and can be interpreted without ambiguity
- polls that were conducted by or for well-established news organizations, polling companies, or universities and not by or for advocacy groups or partisan organizations
- in certain cases, sets of polls that, although conducted in different years and sometimes by different organizations, employed questions that were worded identically or very similarly, thus permitting comparisons over time.[2]

## Key Findings: Visibility of Gay People Since 1993

Since 1993, gay men and lesbians have become increasingly visible not only in American popular culture (as evidenced by more outspoken gay and lesbian celebrities, musicians, and politicians)[3] but in many Americans' everyday lives as well. A CBS News poll conducted in May 2010 indicated that "77 percent of Americans now say they know someone who is gay or lesbian—an increase of 35 percentage points since 1992, when a majority of Americans said they did not" (see Figure 3.1; CBS News, 2010). Moreover, "more than six in ten Americans say they have a close friend, work colleague or relative who is gay or lesbian" (CBS News, 2010).

The poll also indicated that younger respondents are more likely than older respondents to know someone who is gay or lesbian. Eighty-four percent of respondents under the age of 30 reported that they know someone who is gay or lesbian, whereas only 66 percent of respondents over the age of 65 reported that they know someone who is gay or lesbian (see Figure 3.2).

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[2]   In this chapter, when a poll was undertaken jointly by more than one organization, we indicate that relationship with a slash (e.g., Gallup/*New York Times*). When the same poll was undertaken by different organizations at different times, we indicate that relationship with a comma (e.g., NBC News/*Wall Street Journal*, Gallup).

[3]   One area of American society in which gay men and lesbians have not become more visible since 1993 is professional sports. In 2007, former NBA player John Amaechi became the first professional basketball player to openly identify himself as gay and became only the sixth professional male athlete from the four major American professional sports leagues (NBA, MLB, NFL, and NHL) to publicly identify himself as gay. See Sheridan, 2007.

**Figure 3.1
Percentage of U.S. Adults Who Know Someone Who Is Gay or
Lesbian, 1992 and 2010**

August 1992

Don't know/
no answer

2%

No
56%

Yes
42%

May 2010

Don't know/
no answer

1%

No
22%

Yes
77%
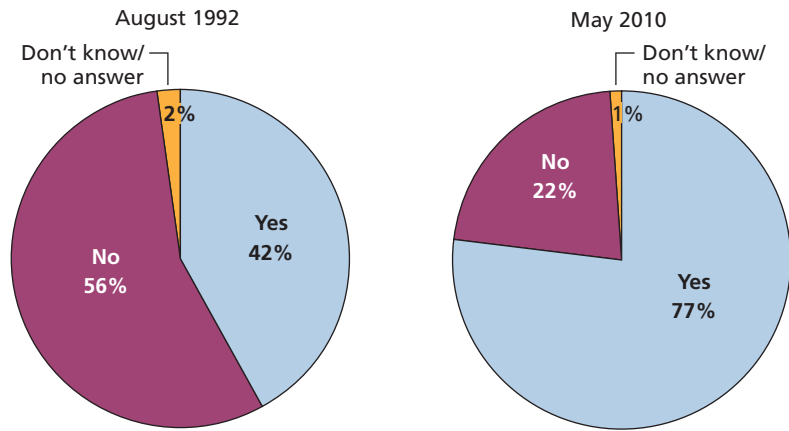
SOURCE: CBS News, 2010.

**RAND** *MG1056-3.1*

**Figure 3.2
Percentage of U.S. Adults Who Know Someone Who Is Gay or Lesbian, by Age**
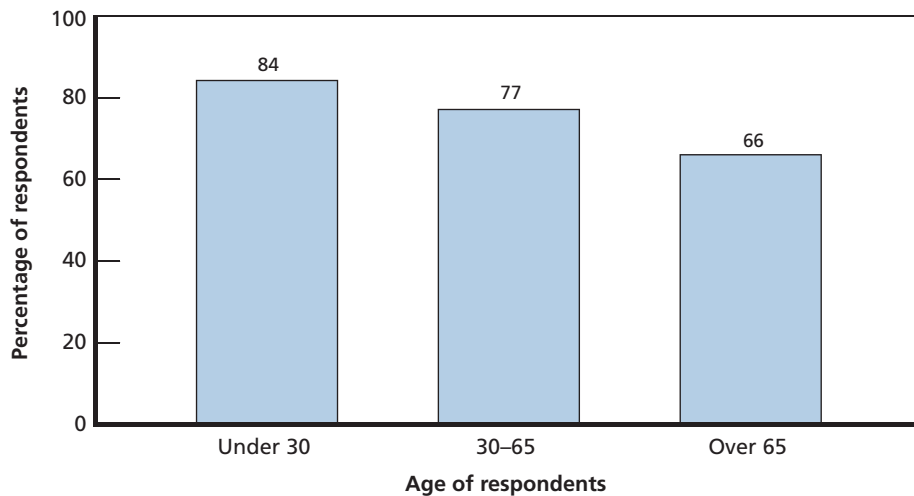


SOURCE: CBS News, 2010.

**RAND** *MG1056-3.2*

Gay men and lesbians have also become dramatically more visible in popular culture during the past two decades. For instance, openly gay and lesbian celebrities have become increasingly visible since 1993, and gay and lesbian characters are becoming more commonplace in film and television. Since 1993, the number of openly gay politicians elected to federal, state, and local office has increased. In 1991, there were 49 openly gay elected politicians in the United States; by 2002, that number had grown to 223 openly gay politicians (Loughlin, 2002). In August 2010, the Gay and Lesbian Victory Fund (a political action committee that funds gay candidates for elected office) reported that there were more than 650 lesbian, gay, bisexual, and transgender elected officials, and that roughly 22 percent of all Americans were represented by a gay elected official (Gay and Lesbian Victory Fund and Leadership Institute, 2009).

Representative Barney Frank (D-Mass.) was elected to Congress in 1981 and came out publicly in 1987, becoming the first gay member of Congress to disclose his orientation. Frank has been reelected ever since and now serves as chairman of the House Financial Services Committee. Representative Tammy Baldwin (D-Wisc.) and Representative Jared Polis (D-Colo.) were elected to Congress in 1998 and 2008, respectively. Representative James Kolbe (R-Ariz.) was a prominent, openly gay Republican congressman until he left office in 2007.

At the local level, increasing numbers of openly gay politicians have been elected to mayoral and town and city council positions. In December 2009, Annise Parker, a lesbian, was elected mayor of Houston, America's fourth largest city ("Houston Elects First Openly Gay Mayor," 2009). Gay mayors were also elected in Providence, Rhode Island, in 2002 and Portland, Oregon, in 2008.

## Key Findings: Visibility of Gay Issues Since 1993

In addition to the increased visibility of gay people, issues important to gay men and lesbians have also received more attention at the state and national levels over the last 17 years. While this increased attention has led to some additional rights and protections against discrimination and harassment based on sexual orientation, it has also catalyzed support for limitations on the extension of some rights and protections to gay men and lesbians. As a result, the past 17 years have seen both expansions of rights and protections for gay men and lesbians, as well as ongoing efforts to limit such expansions. Three sets of issues have become particularly visible over the last 17 years: discrimination and harassment, same-sex partner benefits, and same-sex marriage. We discuss each of these sets of issues below.

### Discrimination and Harassment

Federal law mandates that employers not discriminate on the basis of race, color, religion, sex (including pregnancy), national origin, age, or disability; however, it

does not address discrimination based on gender identity or expression and sexual orientation. The most significant antidiscrimination laws in the United States—the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and Title VII of the Civil Rights Act of 1964, as amended and interpreted over the years (42 U.S.C. 2000e)—were created to address the nation's history of discrimination against blacks. The Equal Protection Clause—which guarantees "the equal protection of the laws"—has since been interpreted to apply to *any* race, color, ethnicity, national origin, gender, or religion (*The Constitution of the United States*, Amendment 14, Section 1).[4] Similarly, Title VII's rules apply to *any* race, color, religion, sex, or national origin (42 U.S.C. 2000e). Other statutes have followed, addressing such issues of discrimination in employment as disability, age, pregnancy, and unequal pay. Such groups are called *protected classes* because statutes create specific protections for them. No federal statutes currently include sexual orientation as a protected class. Even if they did, courts have held that such statutes do not apply to military service members as a matter of law.[5]

However, in about half the states and some municipalities, discrimination on the basis of sexual orientation is prohibited by statute, and a few states prohibit it as a matter of state constitutional law. Accordingly, private-sector organizations operating in these jurisdictions are subject to such prohibitions. State or local public sector organizations in these jurisdictions are also subject to such prohibitions, although the federal government is not.[6]

While there is currently no federal law prohibiting employment discrimination on the basis of sexual orientation, 113 cities, 17 states, and the District of Columbia have laws that ban discrimination in the workplace because of a person's sexual orientation (AFL-CIO, 2010). Advocates have repeatedly lobbied for the passage of the federal Employment Non-Discrimination Act (ENDA), which would prohibit employment discrimination based on sexual orientation or gender identity. This legislation has been introduced in almost every Congress since 1994. In 2007, it was passed by the House but not by the Senate; as of October 2010, bills are pending in both houses.

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[4]  This provision applies to the federal government by way of the Fifth Amendment (*Bolling v Sharpe*, 1954).

[5]  Even so, DoD military equal opportunity rules extend most of Title VII's principles to service members as a matter of policy (*Gonzalez v Dept. of Army*, 1982; *Roper v Dept. of Army*, 1987; *Taylor v Jones*, 1981).

[6]  There is a nuance for National Guard units in states in which discrimination based on sexual orientation is specifically prohibited by law. For uniformed service members in such units, the state's constitutional prohibition of discrimination on the basis of sexual orientation *would* apply to them when operating under state authority.

With regard to workplace discrimination, the private sector has taken the lead in expanding protections for gay and lesbian workers over the past decade.[7] In its *State of the Workplace 2007–2008* report, Human Rights Campaign found the following:[8]

- As of 2007–2008, 35 percent—a total of 176—of the Fortune 500 businesses had protections based on gender identity, compared to just three of the Fortune 500 businesses in 2000.
- Of the top 100 Fortune-ranked businesses at the time of the report, 61 included protections based on gender identity.
- As of 2007–2008, 85 percent of the Fortune 500 businesses had protections based on sexual orientation, compared to 51 percent in 2000.
- Of the Fortune 100 for 2007–2008, 94 included sexual orientation protections (Human Rights Campaign, 2009b).

At the federal level, President Clinton signed several executive orders that extended protections to gay people, including Executive Order 12968 in 1995, which prohibited the U.S. government from discriminating on the basis of sexual orientation in the granting of access to classified information (The White House, 1995). In June 2000, President Clinton signed Executive Order 13160, which stipulated that

> No individual, on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in, a Federally conducted education or training program or activity. (The White House, 2000)

Some of the broadest protections against harassment of gay people have resulted because hate crime laws have also expanded in scope to include crimes based on sexual orientation. As of June 2009, 31 states and the District of Columbia had adopted laws that address hate or bias crimes based on sexual orientation (Human Rights Campaign, 2009a). In October 2009, President Obama signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which expanded federal hate crimes law to include protection against crimes based on sexual orientation or gender identity (Human Rights Campaign, 2009a).

### Same-Sex Partner Benefits

Since 1993, there has also been some expansion of access to same-sex partner benefits, particularly in the private sector, as discussed in Chapter Twelve. While a 1997 survey from the Society for Human Resource Management (SHRM) found that "7 percent of

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[7]  For a more detailed analysis of how the private sector has integrated gay men and lesbians into the workforce, see Chapter Eleven of this report.

[8]  See Human Rights Campaign (2009b).

employers overall provided partner benefits," 2008 surveys conducted by SHRM and the Kaiser Family Foundation found that "at least one out of every three employers and 50 percent of employers with 5,000 or more workers now provide benefits to same-sex partners of employees" (Human Rights Campaign, 2009a). Human Rights Campaign also found that the number of Fortune 500 companies that provide health benefits to domestic partners of employees has risen steadily since 1993 (see Figure 3.3). Since 2006, a majority of Fortune 500 companies have offered benefits to same-sex partners of employees (Human Rights Campaign, 2009a).

The federal government and some states have also taken action to expand benefits to same-sex partners. In April 2009, President Obama signed a memorandum requiring all hospitals that accept Medicare or Medicaid to allow visitation rights for same-sex partners. As of April 2009, 23 states and the District of Columbia had laws allowing hospital visitation for same-sex partners (Human Rights Campaign, 2010). In June 2010, President Obama extended many federal benefits to same-sex partners of federal employees, including employee assistance programs and child-care subsidies (The White House, 2010). This issue is discussed further in Chapter Eleven.

### Same-Sex Marriage

Same-sex marriage has been one of the most visible and contentious gay issues. In 1996, Congress passed the Defense of Marriage Act (DOMA), which defined the word *marriage* to mean "only a legal union between one man and one woman as husband

**Figure 3.3**
**Fortune 500 Companies That Provide Domestic Partner Benefits**
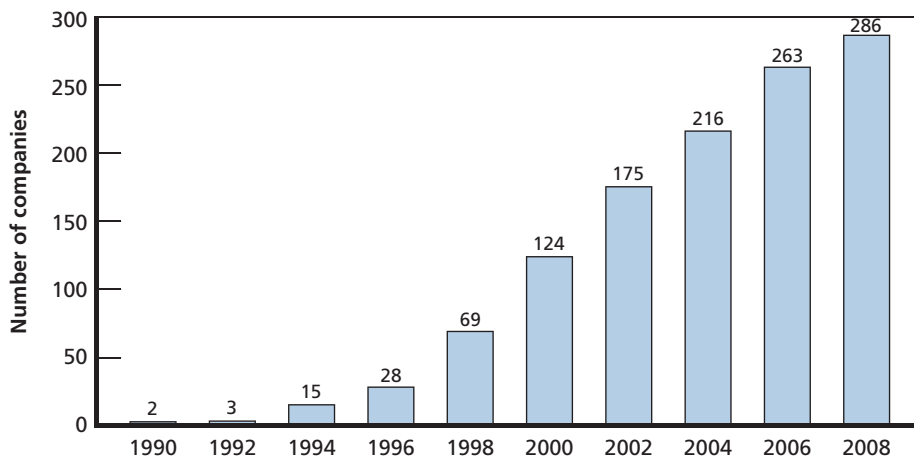


SOURCE: Human Rights Campaign, 2009a.
RAND *MG1056-3.3*

and wife," and the word *spouse* to refer only to "a person of the opposite sex who is a husband or a wife" (Public Law 104-199, 1996). DOMA also mandated that

> No State, territory, or possession of the United States, or Indian tribe, shall be required to give effect to any public act, record, or judicial proceeding of any other State, territory, possession, or tribe respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State, territory, possession, or tribe, or a right or claim arising from such relationship. (United States Congress, 1996)

In 2004, the issue of same-sex marriage was again propelled into the national spotlight, this time during the November elections. One of the major outcomes of those elections was the establishment of limitations on gay marriage. All 11 proposed state bans on same-sex marriage were passed by voters. Currently, 30 states have constitutional amendments banning same-sex marriage, and 15 additional states have statutes limiting marriage (National Conference of State Legislatures, 2010). Currently, five states (Connecticut, Iowa, Massachusetts, New Hampshire, and Vermont) and the District of Columbia issue marriage licenses to same-sex couples,[9] and three states (Rhode Island, New York, and Maryland) recognize same-sex marriages from other states (National Conference of State Legislatures, 2010). The Federal Marriage Amendment (FMA), a proposed amendment to the Constitution that would limit marriage to the union of a man and a woman, has been introduced in the U.S. Congress several times (e.g., 2003, 2004, 2005, and 2008), but it has failed to pass.

## Key Findings: Trends in U.S. Public Opinion Since 1993

The period since 1993 has seen shifts in public opinion concerning gay people, as well as the conditions under which they can serve in the nation's armed forces. In this section, we review public opinion polls and social surveys of nationally representative samples of the American adult population that asked about attitudes toward gay men and lesbians serving in the military and related matters.[10] Most of the data are from general public opinion polls conducted by major polling and news organizations.

The discussion focuses on three topics. First, we summarize the major trends in public attitudes regarding gay people in society since the enactment of DADT in July 1993 and scholarly works that have either documented these trends or examined fac-

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[9]   The status of same-sex marriages in California remains uncertain. The California Supreme Court ruled on May 15, 2008, that same-sex couples have the right to marry in California. However, Proposition 8, which limits marriage to one man and one woman, was passed on November 4, 2008. Proposition 8 has been ruled unconstitutional by a federal district court judge, but the decision has been appealed.

[10]   Unless otherwise noted, all question results are from surveys of samples of the U.S. national adult population.

tors associated with favorable or unfavorable attitudes on various gay-related issues. With this information as context, we next summarize trends in attitudes towards gay men and lesbians serving in the military. Finally, we conclude with information about attitudes within various demographic and other subgroups and provide an illustration of the sensitivity of polling outcomes to the wording of questions.

### Trends in Public Opinion Toward Gay People Since 1993[11]

Since the enactment of DADT in July 1993, American public opinion on gay men and lesbians has become steadily more positive, indicating greater tolerance, acceptance, and inclusion of these individuals in American society (Bowman and Foster, 2008; De Boer, 1978; Gallup, 2010; Pew Research Center, 2009a; PollingReport, 2010; Torres-Reyna and Shapiro, 2002; Yang, 1997). Figure 3.4 shows three key measures of opinions around the time DADT was adopted in 1992 or 1993, and more recently in 2008 or 2009.

The top of Figure 3.4 shows that the share of the adult population agreeing with the statement "homosexuality is an acceptable alternative lifestyle" has risen substan-

**Figure 3.4**
**Change in Opinions Toward Gay People**
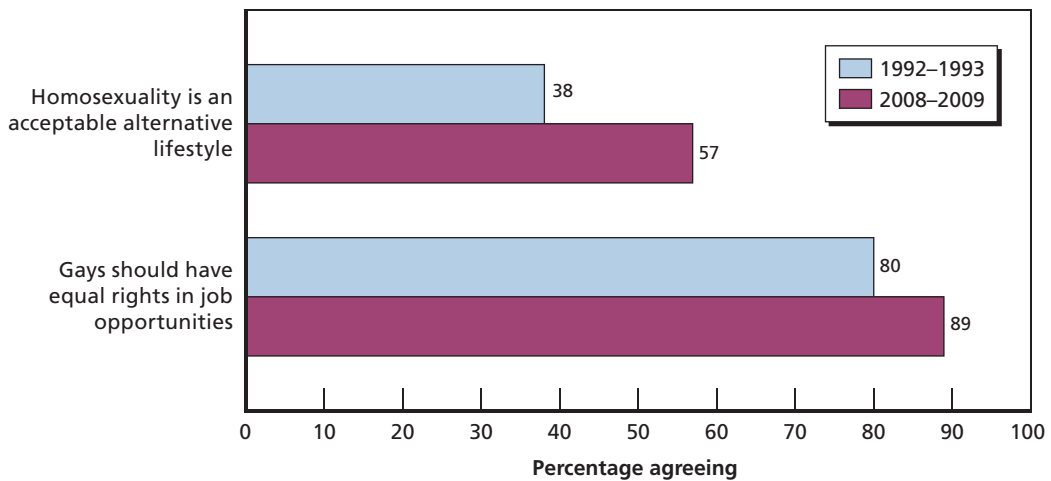


SOURCE: Gallup, 2010.
NOTE: The wording of the questions asked for both pairs of results presented in the figure is as follows:
(1) "Do you feel that homosexuality should be considered an acceptable alternative lifestyle or not?"
(2) "As you may know, there has been considerable discussion in the news regarding the rights of homosexual men and women. In general, do you think homosexuals should or should not have equal rights in terms of job opportunities?"
**RAND** *MG1056-3.4*

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[11]  In many cases, these questions were not asked in the 1990s but were added in the decade beginning in 2000; in such cases the result is somewhat abbreviated trends.

tially over the past 17 years, reaching almost 60 percent in recent polling; the figure also shows that the already high level of support for equal rights for gays in job opportunities continued to rise (Gallup, 2010). While the term *alternative lifestyle* has been consistently used by Gallup, its meaning is not clear and likely has changed over time and among those answering this question. Nevertheless, the comparison suggests that public support for gay people has generally increased over time. Opinions regarding other social issues also have changed over this time period; in May 2010, 58 percent of adults said that they thought that gay or lesbian relations between consenting adults should be legal (Gallup, 2010),[12] and in a May 2009 poll, a majority of respondents favored adoption rights for gay men and lesbians (54 percent), health insurance and other employee benefits for gay domestic partners (67 percent), and inheritance rights for domestic partners (73 percent, Gallup, 2010).[13] While the Pew Research Center found that, in August 2009, 57 percent of adults supported civil unions for same-sex couples, only 39 percent supported same-sex marriage (Pew Research Center, 2009a).[14] Meanwhile, polling in 2009 found that 64 percent felt that there was "a lot of discrimination" against gay men and lesbians (Pew Research Center, 2009b),[15] and in 2010 67 percent supported expansion of federal hate crime laws to include crimes committed against people because they are gay (Gallup, 2010).[16]

Public-opinion scholars have identified a number of factors that appear to be systematically associated with opinions about gay and lesbian civil rights and policies. These include beliefs about egalitarianism and discrimination, moral traditionalism, feelings toward gay people, partisan orientation, and religious belief and practice (Brewer, 2003a); attributions regarding the causes of homosexuality—i.e., whether homosexuality is genetically determined or a personal choice (Haider-Markel and Joslyn, 2008; Sakalli, 2002; Tygart, 2000; Whitley, 1990; Wood and Bartkowski, 2004); friendship or other familiarity with gay or lesbian individuals (Lewis, 2006; Schneider and Lewis, 1984; Strand, 1994); gender (Herek, 2002); race (Lewis, 2003);

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[12] The wording of the question was, "Do you think gay or lesbian relations between consenting adults should or should not be legal?"

[13] Gallup's wording was, "Do you think there should or should not be—[RANDOM ORDER]? A. Adoption rights for gays and lesbians so they can legally adopt children; B. Health insurance and other employee benefits for gay and lesbian domestic partners; C. Inheritance rights for gay and lesbian domestic partners."

[14] Pew's wording was, "Do you strongly favor, favor, oppose, or strongly oppose (1) Allowing gay and lesbian couples to marry legally? (2) Allowing gay and lesbian couples to enter into legal agreements with each other that would give them many of the same rights as married couples?"

[15] Pew's wording was, "Just your impression, in the United States today, is there a lot of discrimination against . . . gays and lesbians . . . or not?"

[16] Gallup's wording was, "As you may know, federal law currently allows prosecution of hate crimes committed on the basis of the victim's race, color, religion or national origin. There is a proposal to expand federal hate crime laws to include crimes committed against people because they are gay or lesbian. Would you favor or oppose expanding the federal hate crime laws in this way?"

and the competing frames of traditional moral values versus egalitarianism and civil rights (Bennett, 1998; Brewer, 2003b; Price, Nir, and Capella, 2005).

Evidence of the declining importance of moral traditionalism in attitudes toward gay men and lesbians can be found in the increasing percentage saying that "gay and lesbian relations" are morally acceptable, which rose from 40 percent in 2001 to 52 percent in 2010 (Gallup, 2010),[17] and in the declining percentage saying that homosexuality was "always wrong" or "almost always wrong," which fell from 66 percent in 1993 to 53 percent in 2008 (NORC, 1991–2008). More generally, Pew Research Center's annual survey of political values and core attitudes reports that their index of social conservatism declined over most of the 1987–2009 period (Pew Research Center, 2009a).

Research has shown that people who have family members or friends who are gay report more support for these issues. There have also been shifts in beliefs that scholars have identified as contributing to more favorable attitudes. As indicated earlier in this chapter (Figure 3.1), the percentage of Americans who say they know someone who is gay has increased since 1993. Additional evidence of this can be found in numerous polls; for example, in one poll, those saying that they had a friend or acquaintance who is gay rose from 43 percent in 1994 to 66 percent in 2008 (Princeton Survey Research Associates [PSRA]/*Newsweek*, February 1994 and December 2008, in Roper Center iPOLL Databank, 2010),[18] while those saying they had a close friend or family member who is gay doubled over roughly the same time period (CBS News/*New York Times*, 2010; Roper Center iPOLL Databank, 2010; and Pew Research Center, 2009a; also see Figure 3.4).[19]

To conclude this brief review of broader social attitudes toward gay men and lesbians, it seems clear that the public opinion in 2010 is markedly more sympathetic to gay people and their civil rights than in 1993. As we describe next, opinions about allowing gay men and lesbians to serve in the military without restrictions also have shifted.

**Changing Public Opinion Toward Gay Men and Lesbians in the Military**

Closely paralleling the broader public opinion trend of increasingly favorable sentiment toward gay men and lesbians and their civil rights, the available public opinion

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[17]  Gallup's wording was, "(Next, I'm going to read you a list of issues. Regardless of whether or not you think it should be legal, for each one, please tell me whether you personally believe that in general it is morally acceptable or morally wrong.) How about . . . gay or lesbian relations?"

[18]  The wording used by PSRA/*Newsweek* in 1994 was, "(Please tell me whether or not each of the following applies to you.) . . . Have a friend or acquaintance who is gay." The wording used by PSRA/*Newsweek* in 2008 was, "(Please tell me which, if any, of the following apply to you.) Do you . . . have a friend or acquaintance who is gay or lesbian?"

[19]  The wording used by CBS News/*New York Times* in 1993 was, "Do you have a close friend or family member who is gay or lesbian?" The wording used in 2009 by the Pew Research Center for the People & the Press was, "Do you have a close friend or family member who is gay?"

trend data show an increase in those favoring gay men and lesbians being allowed to serve in the military and serve openly, and most polling suggests that a majority of Americans support both. For this section, we draw on earlier compilations of public opinion data (Bowman and Foster, 2008; Gallup, 2010; Pew Research Center, 2009a; PollingReport, 2010; Torres-Reyna and Shapiro, 2002; Yang, 1997), as well as a systematic search for other, and more recent, polling results.[20] The following presentation highlights available trend data, with occasional mentions of individual results, where indicated; all results are generally representative of the larger body of polling results.[21]

**Questions on Generic Support for Gay Men and Lesbians in the Military.** Public opinion polls have asked a range of questions about gay people serving in the military. The questions fall into three broad categories:

- general questions asking whether gay people should be allowed to serve without specifying the conditions put on service
- questions about whether gay people should be allowed to serve *openly*. Responses to these questions likely depend on how respondents interpret the modifier *openly*. Generally, *openly* means that a person can be open about his or her sexual orientation without fear of repercussions by the military. As noted in Chapter Four on sexual orientation and disclosure and Chapter Nine on the survey of gay service members, gay men and lesbians generally view their sexual orientation as a private matter and usually do not discuss it except with trusted friends. Some people may interpret the term *openly* to denote less constrained statements about their sexual orientation. There is no way to know what fraction of survey respondents views it this way.
- questions that explicitly distinguish the current policy of allowing gay men and lesbians to serve if their sexual orientation is not disclosed from a policy that allows them to serve if their orientation is known; some of these questions also present a third option to ban gay men and lesbians from serving altogether. Polls that ask about DADT fall into this category.

Figure 3.5 shows responses from polls that ask whether gay people should be allowed to serve in the military without reference to the terms on which they would serve. All such polls show that the level of support for gay people serving in the military has increased since the early 1990s, although the level of support varies across similar polls.

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[20] Among the other sources consulted were Gallup's website and the Roper Center's iPOLL Databank. We believe that our various searches resulted in a compilation of nearly all of the available public opinion polling results since 1992–1993, as of August 2010.

[21] In total, we compiled nearly 70 tables of time series and other polling results.

**Figure 3.5**
**Change in Opinions About Gay Men and Lesbians Serving in the Military**
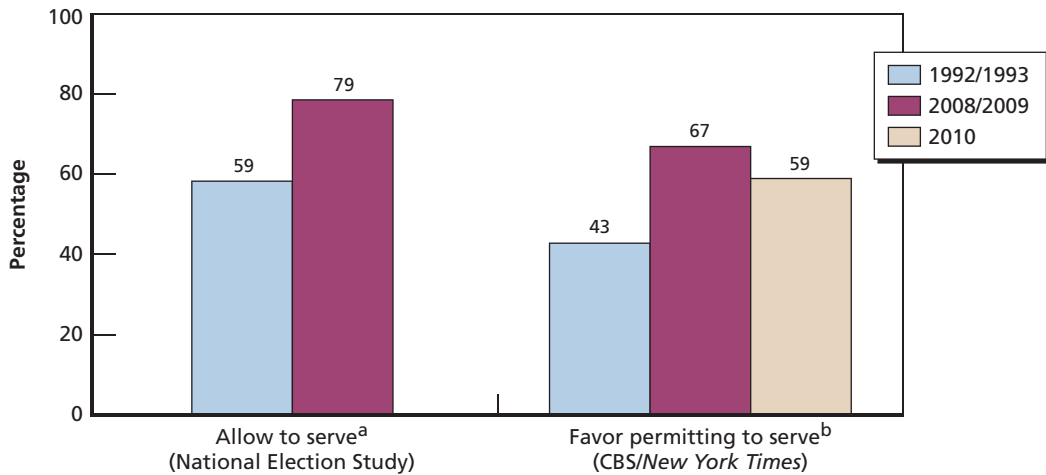


SOURCES: National Election Survey (American National Election Studies, undated) and CBS/*New York Times* surveys 1993, 2009, and 2010 (all from the Roper Center iPOLL Databank).

[a] The wording used in the National Election Survey in 1992 and 2008 was, "Do you think homosexuals should be allowed to serve in the United States Armed Forces, or don't you think so?"

[b] The wording used by CBS/*New York Times* in February 1993, January 2009, and February 2010 was, "Do you favor or oppose permitting homosexuals to serve in the military?"

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A number of polls word this question differently, asking whether gay people should "get jobs" or "be hired" in the military. The results are similar, indicating that about three-quarters of Americans favor employment in the military for gay people.

Support for allowing gay people to serve openly has also increased over time (Figure 3.6). Most polls asking this question find majority support for allowing gay men and lesbians who disclose their orientation to serve, although the fraction varies considerably from poll to poll. One poll conducted for CBS News and the *New York Times* resulted in only a plurality supporting the service of gay men and lesbians, but one in seven respondents to this poll provided no response. It is possible that the more cautious reaction of respondents to the wording "openly announce their sexual orientation" in Figure 3.6 reflects a preference for discreet behavior by gay military personnel.

Only a few polls have used three-way questions that reveal the fraction of respondents who favor the current DADT policy versus policies that would be more or less restrictive. Figure 3.7 shows the results of a recent poll with a question of this type. In this poll, relatively few favored banning gay men and lesbians from military service. Of those favoring allowing military service, a slight majority favored a policy that would allow known gay men and lesbians to serve.

Several recent polls have asked whether DADT should be repealed. A 2009 CNN poll described the policy and asked whether respondents favored it or considered it

**Figure 3.6**
**Change in Opinions About Gay Men and Lesbians Serving *Without Restriction* in the Military**



SOURCE: Roper Center iPOLL Databank.

[a] The wording used by NBC News/*Wall Street Journal* in April 1993 was, "Do you favor or oppose allowing openly gay men and lesbian women to serve in the military?" The wording used by Gallup in May 2010 was identical.

[b] The wording used by PSRA/*Times Mirror* in July 1994 was, "(I'd like your opinion of some programs and proposals being discussed in this country today. Please tell me if you strongly favor, favor, oppose, or strongly oppose each one.) . . . Allowing gays and lesbians to serve openly in the military." The wording used by the Pew Research Center for the People & the Press/Pew Forum on Religion & Public Life in July 2010 was, "All in all, do you strongly favor, favor, oppose, or strongly oppose . . . allowing gays and lesbians to serve openly in the military?"

[c] The wording used by ABC News/*Washington Post* in May 1993 was, "Do you think homosexuals who do publicly disclose their sexual orientation should be allowed to serve in the military or not?" The wording used by ABC News/*Washington Post* in February 2010 was identical.

[d] The wording used by CBS News/*New York Times* in February 1993 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting homosexuals to serve in the military?" The wording used by CBS News/*New York Times* in February 2010 was, "What if they openly announce their sexual orientation? In that case would you favor or oppose permitting gay men and lesbians to serve in the military?"

**RAND** *MG1056-3.6*

**Figure 3.7**
**Responses to Three-Way Question (No Service, DADT, Open Service)**
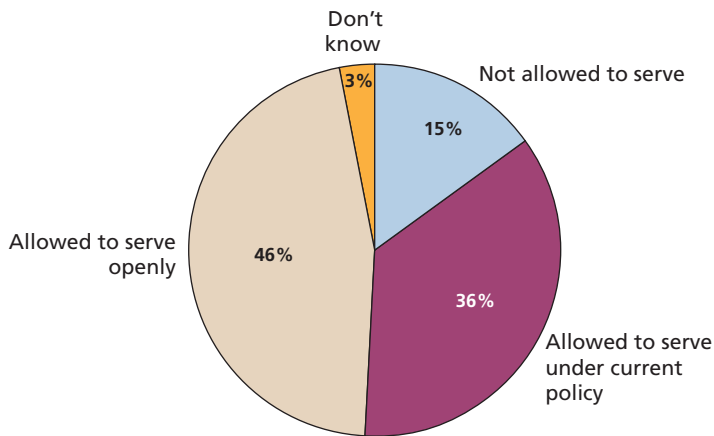


SOURCE: Gallup/*USA Today*/CNN Poll, July 2007, from Gallup, 2010.
NOTE: The wording used was, "As you may know, under the current military policy, no one in the military is asked whether or not they are gay. But if they reveal that they are gay or they engage in homosexual activity, they will be discharged from the military. Do you personally think—[ROTATED: gays should be allowed to serve openly in the military, gays should be allowed to serve under the current policy, or gays should not be allowed to serve in the military under any circumstances]?"
**RAND** *MG1056-3.7*

either too lenient or too harsh toward gay service members. About half (48 percent) favored the status quo, while 37 percent considered the current policy too harsh, and only 8 percent thought it too lenient. We note that respondents to this poll, which more explicitly focused on support for the current policy, were more likely to favor the status quo than were the respondents to the question in Figure 3.7.[22]

**Demographic and Social Differences in Attitudes**

As described above, since 1993 Americans have become more supportive of gay men and lesbians, of their civil rights, and of allowing them to serve in the military. Several polls conducted over time show that the same upward trend has occurred in population subgroups defined by age, gender, race, religion, and region of the country. However,

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[22] CNN/Opinion Research Corporation's (ORC's) wording in 2009 was, "(Do you favor or oppose the policy sometimes called 'Don't Ask, Don't Tell' in which the US (United States) military does not ask new recruits whether they are gay or lesbian, but prohibits gays and lesbians from serving in the military if they reveal their sexual orientation?) (If Oppose, ask:) Do you oppose that policy because you think it is too lenient toward gays and lesbians or because you think it treats gays and lesbians too harshly?"

A number of other polls have asked whether respondents favor DADT, either mentioning it by name or describing the policy, without asking those who favor repeal whether they prefer a more or less restrictive policy. These polls are hard to interpret because respondents who favor a complete ban on gay service and respondents who favor allowing known gay men and lesbians to serve are likely to answer the same way—i.e., that they do not favor DADT.

there remain differences across subgroups in the level of support for gay men and lesbians and their opportunity for military service. Table 3.1 shows subgroup differences in responses to two questions in a 2008 poll conducted for ABC that asked whether military service should be permitted for "homosexuals who do NOT publicly disclose their sexual orientation" and for "homosexuals who DO publicly disclose their sexual orientation." The responses to the second question were shown earlier in Figure 3.6.[23] This poll allows identification of the subgroups that are most sensitive to whether gay men and lesbians are allowed to disclose their sexual orientation.

**Table 3.1**
**Responses of Population Subgroups to July 2008 Poll About Permitting Gay People to Serve in the Military**

| | Do Not Publicly Disclose Orientation (%) | Do Publicly Disclose Orientation (%) |
|---|---|---|
| All respondents | 78 | 75 |
| Men | 71 | 66 |
| Women | 83 | 83 |
| Under age 30 | 75 | 77 |
| Age 30–64 | 80 | 77 |
| Seniors | 71 | 67 |
| Republicans | 72 | 64 |
|     Conservative | 70 | 59 |
| Democrats | 80 | 83 |
|     Liberal | 93 | 95 |
| Independents | 79 | 76 |
| Veterans | 71 | 50 |
| Nonveterans | 79 | 79 |
| Protestants | 74 | 69 |
| Catholics | 86 | 83 |
| No religion | 76 | 80 |

SOURCE: ABC News/*Washington Post*, 2008.

NOTE: The wording used by ABC News/*Washington Post* in July 2008 was, "(1) Do you think homosexuals who do NOT publicly disclose their sexual orientation should be allowed to serve in the military or not? (2) Do you think homosexuals who DO publicly disclose their sexual orientation should be allowed to serve in the military or not?"

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[23] In a Pew Research Center poll, also shown in Figure 3.6, fewer respondents—61 percent—said that gay men and lesbians should be allowed to serve openly. The subgroup patterns were similar, except that favorable responses declined more consistently across age groups.

**Sensitivity of Results to Wording of Questions**

Sometimes public opinion results are unstable—i.e., they are sensitive to timing, cues, or other features of question wording; question order; mention of specific individuals who have taken a position on the issue; or other polling artifacts. In such cases, this suggests that at least some members of the public have not deliberated or made up their minds on what position to take on the policy issue, and one needs to be cautious in interpreting polling results. For an extended analysis of this question, see Yankelovich, 1991.

While majority support for gay men and lesbians serving in the military without restrictions appears fairly robust, the extent of this support can be sensitive to the wording of the question, to question context, and to events occurring at the time of the poll. A CBS/*New York Times* poll conducted in February 2010 illustrates the sensitivity of response to how gay men and lesbians are referred to in questions about allowing military service. The poll asked the same two questions to a split sample, changing the wording from "homosexuals" to "gay men and lesbians," as shown in Table 3.2. Both half-samples yielded majority support for gay men and lesbians serving in the military, but 70 percent responded favorably to the question about "gay men and lesbians" whereas only 59 percent responded favorably to the question that mentioned "homo-

**Table 3.2**
**Sensitivity to Wording in February 2010 CBS News/*New York Times* Question About Allowing Gay People to Serve in the Military**

| | Homosexuals (%) | Gay Men and Lesbians (%) |
|---|---|---|
| Do you favor or oppose permitting [homosexuals/gay men and lesbians] to serve in the military? Do you favor/oppose that strongly or not so strongly? | | |
| Favor strongly | 34 | 51 |
| Favor not so strongly | 25  (=59) | 19  (=70) |
| Oppose not so strongly | 10 | 7 |
| Oppose strongly | 19 | 12 |
| Don't know/not applicable | 12 | 11 |
| What if they openly announced their sexual orientation? In that case would you favor or oppose [homosexuals/gay men and lesbians] to serve in the military? | | |
| Favor | 44 | 58 |
| Oppose | 42 | 28 |
| Don't know/not applicable | 14 | 14 |

SOURCE: CBS News/*New York Times*, 2010.

NOTE: The wording of questions is but one of the factors that have consistently been found to affect polling data. Nevertheless, the pattern of increasing support and the finding that a majority of Americans support military service by gay men and lesbians, even for those who disclose their sexual orientation, is robust across the many polls that we reviewed.

sexuals." A similar pattern is seen in the responses to the follow-up questions about whether respondents would support gay men and lesbians serving in the military if individuals "openly announce their sexual orientation."

## Summary

The increased visibility of gay people and gay issues, as well as shifts in public opinion over the past 17 years, have all contributed to a social climate that is different from the one in which DADT emerged in 1993. Understanding these shifts in culture and attitudes provides a context for considering potential policy changes.

Key findings from our analysis include the following:

- Since 1993, gay men and lesbians have become increasingly visible, not only in American popular culture, but also in the everyday lives of many Americans. In addition, there has been an increase in the number of openly gay politicians elected to public office.
- Gay issues have received attention at the state and national levels over the past 17 years. This increased attention has led to some additional rights and protections based on sexual orientation but has also catalyzed support for limitations on extensions of some rights and protections for gay men and lesbians. Since 1993, many states and localities have extended protections against discrimination and harassment to gay men and lesbians. There has also been some expansion of access to same-sex partner benefits. However, most states do not allow same-sex marriage: 30 states have constitutional amendments banning same-sex marriage, and 15 other states have statutes limiting marriage. Currently, five states issue marriage licenses to same-sex couples.
- A review of published survey results since 1993 suggests that the main trend in American public opinion on gay men and lesbians, gay civil rights, and other issues has been a fairly steady, long-term increase in opinions favoring greater tolerance, acceptance, and inclusion of these individuals in American society. Majorities or supermajorities have increasingly supported a wide range of policies and rights for gay men and lesbians, gay marriage being perhaps the most prominent exception.
- Our review of available trend data on attitudes toward gay men and lesbians serving in the military and serving if they disclose their orientation also suggests a long-term increase in favorable opinions, with majorities or supermajorities recently supporting a policy in which gay men and lesbians could serve without restrictions.
- There is evidence that increases in favorable sentiment toward gay men and lesbians and their civil rights have been broad-based and have reached major demo-

graphic, partisan, ideological, religious, political, and conservative subgroups in American society. Increases in support for gay men and lesbians serving have been similarly broad-based.

• A brief review of the sensitivity of survey results to various polling artifacts suggests that minorities of the public may not have made up their minds about whether they favor or oppose gay men and lesbians serving in the military if they disclose their orientation; recent polling results have swung by as much as 10–15 points as a result of the wording of questions and other artifacts. Nonetheless, opposition to gay men and lesbians serving in the military is typically in the 15–30 percent range, giving those who endorse the idea a substantial margin over those who do not.

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# Sexual Orientation and Disclosure[1]

## Overview

In the 1993 discussions of a policy change allowing gay people to serve in the military, one of the most strongly expressed concerns was that eliminating restrictions would increase the number of gay military personnel. The same concern—an increase in the number of gay military personnel—has been raised regarding current proposals to lift the ban on disclosure of their orientation by gay men and lesbians. Worry has also been expressed that repeal of DADT will lead to "announcements" of sexual orientation and large shifts in social climate, with gay service members forcing others to confront and accept their sexuality. At the same time, it has been noted that forcing service members to conceal or lie about their sexual orientation may undermine trust and cohesion among service personnel, as well as create undue stress on a group of individuals serving their country.

In this chapter, we review the substantial body of literature on sexual orientation and disclosure that has been published since 1993 and analyze new data, only recently available. Overall, we find that gay men are currently serving in the military at rates equivalent to their representation in the U.S. civilian population of young adults. In contrast, lesbians are more common among military personnel than in the civilian population. Because sexual orientation evolves over a time period that includes young adulthood, many who enlist in the military commit to and are bound by current DADT policy before they realize that it will apply to them. Most gay people disclose their sexual orientation selectively, to those with whom they are friends and to persons they judge likely to be accepting. This discretion in disclosure is likely to be important in limiting the effect of disclosure on the recipients of the information or on morale. Disclosure of personal information, including sexual orientation, is important for forming social bonds and building trust; hiding one's sexual orientation may therefore undermine unit cohesion. Attempting to conceal a gay or bisexual orientation may also result in anxiety, depression, and less resilience to stress. About 21 percent of gay

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[1]  This chapter was prepared by Sarah O. Meadows, Nicole K. Eberhart, Michael S. Pollard, and Rebecca L. Collins.

men and lesbians are living with or married to their same-sex partners, and a large percentage report that they would marry if allowed to do so.

In 1993, estimates of the prevalence of gay, lesbian, and bisexual identity and same-sex behavior were uncertain because few studies had collected data using representative samples. Over the ensuing years, research activity in the area of HIV/AIDS dramatically changed this situation. Because of HIV's historic association with gay men (Popovic et al., 1984) and the high prevalence of HIV in this subpopulation (Hall et al., 2008), a number of large national studies began incorporating questions concerning sexual behavior and sexual identity.

In addition, the legal context relevant to one of our prior research questions has changed—the Supreme Court has overturned U.S. sodomy laws (*Lawrence v Texas*, 2003). Although Article 125 of the Uniform Code of Military Justice that prohibits oral and anal sex (sodomy) for service members remains in place (10 U.S.C. 925), in practice it is not currently enforced.

## Study Approach

Our examination of sexual orientation and behavior focused on four questions:

- What is the prevalence of same-sex behavior and gay, lesbian, or bisexual identity in the general U.S. population and in the military?
- Is gay, lesbian, or bisexual orientation distinct from heterosexuality and stable over early adulthood?
- To what extent do gay individuals disclose their orientation, to whom, and in what contexts?
- What are the likely consequences of sexual orientation disclosure (and restrictions on such disclosure) for psychosocial functioning, including effects on trust, development of relationships, and psychological well-being?

To address the study questions, we reviewed the literature on gay, lesbian, and bisexual identity and sexual behavior published since 1993 to describe what is known about their prevalence. In addition, we analyzed data from the National Longitudinal Study of Adolescent Health (Add Health), a survey of a representative sample of U.S. young adults, to compare the prevalence of gay, lesbian, and bisexual identity and same-sex behavior in the military with prevalence in the general population (Add Health, 2009).

We updated evidence concerning a key point in the 1993 RAND report—sexual orientation does not consist of a set of discrete, bounded categories. It can be defined in a variety of ways, each resulting in somewhat different classifications of individuals as "gay" or "heterosexual." Individuals might also be classified differently as they

mature, and shifts are common during the ages that most men and women serve in the armed forces.

We examined the extent to which gay sexual orientation is disclosed and how such disclosure is related to personal characteristics and social context. We also explored how disclosing gay, lesbian, or bisexual identity (or imposing restrictions on disclosure, as under current policy) is likely to affect the social relations and psychological well-being of gay individuals, noting implications of this for military personnel.

We reviewed three major bodies of literature addressing gay identity and same-sex behavior, disclosure of gay sexual orientation, and associations between disclosure and psychological well-being. Much of the literature on these latter two issues involves studies of small "convenience" samples of members of gay organizations or college students. These samples may be more open about their sexual orientation, may sometimes include only one gender, or may include only members of specific demographic groups (e.g., white, urban, high socioeconomic status). Nonetheless, the studies can provide insight into factors that influence rates of sexual orientation disclosure or the psychological outcomes of disclosure and suggest some upper bounds on the percentage of individuals who reveal their sexual orientation to others.

In contrast, the literature examining sexual orientation and behavior includes large probability samples. These can overcome many of the disadvantages of studies based on convenience samples, but they are not without their own problems. Large-scale surveys are still prone to sampling error, nonresponse bias, and various types of measurement error (e.g., stigma, misunderstanding of concepts).

The number of high-quality studies has increased since 1993. However, no single study can provide a completely accurate picture of the prevalence of private sexual behaviors or sexual orientation and self-identity. The data probably provide a lower bound for prevalence rates of same-sex behavior and identity, given that gay identity and same-sex behavior are stigmatized by society and thus are subject to underreporting (although some studies use procedures designed to enhance the privacy of respondents, such as surveys self-administered via computer). Keeping these constraints in mind, we can use much of the recent data to generate "ballpark" estimates; comparing across studies with varying methods and samples can suggest the range within which actual rates fall. The data also allow for estimation of rates of behavior in one group (e.g., men) relative to another (e.g., women).

We focused our review on studies that provide the most objective evidence on the subjects at hand. The criteria we used in identifying these studies are the same as those used in the 1993 study:

• sampling methods that use probability samples rather than convenience samples; typically, these studies are nationally representative of some population (e.g., adolescents or young adults)

- survey items that are objective and concrete, giving both the respondent and the researcher a clear definition of the concept or behavior in question
- sufficient sample sizes to permit statistical analysis
- quality of documentation of results, including main group and subgroup analysis (i.e., men versus women, by age groups, etc.), use of sampling weights, and acknowledgment of study limitations
- recency, because, all else being equal, more current data reflect the political and social climate in which policy decisions will be made.

These criteria provide a guide. However, the studies we reviewed varied substantially across these dimensions. When studies that meet all these criteria exist for a given topic, we do not include studies that are greatly discrepant from our standards. Most studies of sexual identity and same-sex behavior meet our criteria. But where strong empirical evidence does not exist (e.g., in studies of disclosure and its consequences), we include some qualitative work and studies based on imperfect measures or convenience samples, noting caveats and limitations of the studies in our discussion.

In addition to these literature reviews, we conducted an analysis of the Add Health data set. We chose this survey for analysis because it meets the relevant criteria above: It sampled a nationally representative group of young people and includes information that allows us to continue to derive representative estimates at follow-up waves, in spite of some participant drop-out; it asked clearly worded face-valid questions about sexual orientation; it surveyed a large enough group of people to allow accurate estimates of even small groups, including those who self-identify as gay; and the most recent survey wave took place in 2008, when participants had reached young adulthood, providing an up-to-date picture of sexual identity during the life stage when military service is most common.

**Military Definitions of Sexual Orientation**

In the research literature, gay sexual orientation is variously defined as same-sex attraction, same-sex behavior, or gay/lesbian/bisexual identity. In the military, DoD Directive 1332.14 defines a homosexual as "a person, regardless of sex, who engages in, desires to engage in, or intends to engage in homosexual acts" (DoD, 2010). A homosexual act is defined as "bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires." The directive states that homosexuality is incompatible with military service and permits discharge either for *being* homosexual or for engaging in a homosexual act.

The DADT policy does not redefine homosexual contact. However, it allows gay people to continue to serve in the Armed Forces provided that they keep their sexual orientation a secret in both word (i.e., no disclosure or declarations of gay sexual orientation) and deed (i.e., no same-sex contact, marriage, or attempted marriage). In addition, some gay service members have been allowed to continue serving after disclosing

their sexual orientation if they "rebut the presumption" that orientation and behavior are equivalent by demonstrating that they have no intent to act upon their sexual orientation (see Chapter Two). Thus, although an expression of same-sex desire might be proscribed under DADT, the focus in enforcement has been on revelations of sexual identity and sexual behavior rather than attraction. As a consequence, we discuss only identity and behavior in our review.

RAND's 1993 report also considered the relationship between sexual practices, such as oral and anal sex, and sexual orientation, making the point that proscribing service by gay men, lesbians, and bisexuals does not effectively limit sodomy (RAND, 1993). Although the military prohibition on sodomy is technically still in place, court decisions since 1993 have make the provision unenforceable. For this reason, we have omitted description of the oral and anal sexual practices of gay and heterosexual individuals from our discussion.

**Methodological Challenges in Estimating Prevalence of Gay Sexual Orientation**

The prevalence of gay men, lesbians, and bisexuals in the general population is relevant to the military because it suggests some bounds on their likely prevalence in the military—that is, it suggests how many *potential* gay military personnel might be expected if gay people were no more or less likely to join the military than heterosexuals. Estimates of the percentages of currently serving gay people also aid in understanding (1) whether the military is already functioning with substantial representation of gay men and lesbians in its ranks, (2) how many serving gay people might disclose their orientation if military policy were to allow it, and (3) what the resulting personnel might look like if repeal of DADT were to greatly increase the number of serving gay people.

Some methodological notes are in order. First, estimates of the prevalence of gay, lesbian, and bisexual identity and behavior suffer from underreporting. Despite growing acceptance of gay sexual orientation in the United States, same-sex behavior, especially among men, is still stigmatized (see Chapter Three). Even under conditions of anonymity, many individuals will not risk disclosing their sexual identity. The degree of underreporting is not known.

Second, firm estimates are hindered by differences in definitions across studies. Research typically relies on three ways to define sexual orientation: sexual or romantic attraction or arousal, sexual behavior, and sexual identity (Savin-Williams, 2006, 2009). Sexual or romantic attraction can be defined as attraction to one or both sexes or the desire to be in a sexual or romantic relationship with one or both sexes. Sexual behavior is often defined as mutually voluntary genital contact and sexual arousal (Laumann et al., 1994). Sexual identity involves self-labeling, in which individuals

attach a particular label to their own feelings and/or behaviors.[2] Research typically finds that the prevalence of gay sexual orientation is greatest when measured as sexual or romantic attraction, followed by sexual behavior, and then by sexual identity, which yields the lowest prevalence rates.

As this pattern suggests, the three standard measures of sexual orientation do not yield consistent categorizations within individuals. Existing literature suggests that the correlation between the components of sexual orientation ranges from extremely low (0.10) to high (0.79) (Ellis, Robb, and Burke, 2005; Savin-Williams, 2009). For example, data from a representative sample of Minnesota junior and senior high school students (Remafedi et al., 1992) rarely found agreement among respondents' same-sex fantasies, attraction, behavior, and identity. The association between gay, lesbian, and bisexual identity and engaging in same-sex behavior is stronger than between the reverse; fewer youths who engage in same-sex sexual behavior self-identify as gay.

The associations are also weak between same-sex attraction and the other two measures, behavior and identity. Using a nationally representative sample of adolescents followed into adulthood, Savin-Williams and Ream (2007) found that same-sex attraction and same-sex sexual behavior together were stronger predictors of an adolescent eventually self-identifying as gay than either attraction or behavior alone. In fact, Laumann et al. (1994) reported that the majority of individuals who are attracted to members of the same sex *or* who engage in same-sex behaviors do not identify themselves as gay. We further explore the relationship between sexual identity and behavior below in the subsection "Key Findings: Relationship Between Gay, Lesbian, and Bisexual Identity and Same-Sex Behavior."

A final complicating factor is the potential for shifts in sexual orientation during youth. Self-reported sexual identity sometimes changes as young people mature. For example, using a nationally representative sample of adolescents in grades 7 through 12 in the United States during the 1994 school year, researchers found that only 11 percent of boys who reported exclusive same-sex romantic attraction reported exclusive same-sex attraction one year later. Almost half (48 percent) reported exclusive opposite-sex attraction, 35 percent reported no attraction to either sex, and 6 percent reported attraction to both sexes (Udry and Chantala, 2005). Two additional studies of sexual minority youths (one of 14- to 21-year-old males and females in New York City and

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[2]   The current prevailing view in the literature is that sexual identity should be measured on a continuum from "exclusively homosexual" to "exclusively heterosexual" (as in Kinsey, Pomeroy, and Martin, 1948). The important thing to note for the purposes of this report is that how the researcher chooses to cut the continuum will affect the estimate of the prevalence of same-sex orientation. For example, Lippa's (2000) study of college students found that when asked about their sexual identity, 5 percent of men and 3 percent of women self-identified as gay or lesbian. When asked to respond to the statement, "I am sexually attracted to men/women" on a 7-point scale ranging from strongly disagree (1) to strongly agree (7), 10 percent of men and 12 percent of women classified themselves as "mostly attracted" (scoring 4 or higher) to the same sex. If that cut point is shifted to "any attraction" to the same sex (by restricting responses to disagree through strongly agree, or scoring greater than 1), the rates increase to 19 percent of men and 24 percent of women.

another of 6- to 23-year-old women in New York State) found consistency rates of roughly 70 percent over intervals that ranged from six months to two years. While the majority of youths who self-identified as gay or bisexual did so consistently, there were shifts observed among many youths (Diamond, 2000; Rosario et al., 2006). These maturational changes, which presumably occur as youths come to terms with their sexual feelings and learn to label them (a process that is common across all adolescents, regardless of orientation), is another challenge for researchers attempting to measure the prevalence of gay sexual orientation in a given population.

## Key Findings: Same-Sex Behavior and Sexual Orientation in the General Population

No single study definitively establishes the exact number of gay men and lesbians in the United States. Depending on how sexual orientation is defined, the prevalence of same-sex sexual orientation in the general population ranges somewhere between 1 percent and 20 percent (Savin-Williams, 2009). However, this high upper bound is influenced by including same-sex attraction among the measures, for which rates tend to be highest.

Our estimates of the prevalence of same-sex behavior in the general population are somewhat higher than the estimates in the 1993 RAND report, especially among men, perhaps due to shifts in acceptance of same-sex sexual orientation that may promote more honest responding, or perhaps because more and better data are now available.

Our update is based on the 13 studies listed in Table 4.A.1. Nine of these high-quality studies have been published since the 1993 study; four were included in RAND's 1993 study. The studies estimate the percentage of individuals, including adolescents, young adults, and older adults, who engage in same-sex behavior and/or self-identify as gay, lesbian, or bisexual in the United States.

Based on our review of this literature, we conclude that

- The prevalence of same-sex behavior varies by the duration of the time-period reference in the question, how narrowly behavior is defined (e.g., *only* same-sex encounters versus *any* same-sex encounters), and the age of those surveyed. Life-time rates of ever experiencing a same-sex sexual encounter are higher than those restricted to the past 12 months or five years. The studies reviewed here estimate that between 4 percent and 14 percent of women and 5 percent and 9 percent of men have had at least one same-sex experience in their lifetimes. Estimates of exclusive same-sex behavior range from 1 percent or less among women and 1 percent to 3 percent among men.[3]

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[3] "Exclusive homosexuality" is defined as anywhere from "since age 18" to "the past 12 months" among the studies reviewed here (see Table 4.A.1).

- Data from adolescent samples show much lower lifetime prevalence of same-sex behavior, typically less than 1 percent for both males and females.

Self-reported identity in survey data suggests that roughly 1 percent of women and between 1 percent and 3 percent of men describe themselves as gay, lesbian, or homosexual. Rates of bisexual identity range from 1 percent to 7 percent among women and between 1 percent and 3 percent among men.

## Key Findings: Same-Sex Behavior and Sexual Orientation Among Military Personnel

### Studies of Same-Sex Orientation in the Military

Very little research has addressed the prevalence of same-sex orientation in the U.S. military. The only study cited in RAND's 1993 report is Rogers and Turner, 1991. Since 1993, two studies have been widely referenced, and we discuss them here. We also analyzed recently released data that allow for direct estimation of the fraction of military personnel who are gay or bisexual, compared to the overall population of young adults.

The Rogers and Turner study was based on aggregate data from three national probability samples of the adult population in the United States (the total sample was 4,390). The study estimated the prevalence of gay and bisexual behavior in the military, based on the percentage of men who reported both any lifetime homosexual contact and military service. Men with military service had an estimated prevalence rate of 7.6 percent, and men without military service had an estimated prevalence rate of 5.1 percent. There is no way to know whether the same-sex behavior reported by Rogers and Turner's respondents occurred during the individual's military service. Since the data included adults of all ages, it was not representative of the current military population.

Since 1993, studies have attempted to estimate the prevalence of same-sex behavior or orientation among service members based on prevalence rates estimated among the civilian population. This approach has limitations because it assumes that prevalence rates by age, gender, and other personal characteristics are equivalent across the two populations. This is unlikely to be true because military personnel are a select group of individuals, both in terms of who meets the requirements to serve and who actually chooses to serve.

One recent study developed a different method that combined estimates from multiple sources of the proportions of gay individuals who are in the military, of nongay individuals who are in the military, and of individuals who are gay (Gates, 2010). The only measure available of the fraction of gay individuals who are in the military was based on same-sex couples. The study estimated that 2.2 percent of all military person-

nel are gay or bisexual. The estimate for women was four times as high as the estimate for men. The estimates from this study will be biased if, as seems likely, gay military personnel and civilians are not equally likely to be in same-sex couples.

Another study compared the fraction of gay or bisexual individuals who had served in the military with the fraction of all adults who had served (Herek et al., 2010). This study used 2005 data collected from a national sample of 662 respondents in the Knowledge Networks (KN) panel.[4] The survey asked whether the respondents had served on active duty or in the reserve components and whether they were gay men, lesbians, or bisexuals. Estimated service rates were lower for gay men than for all adult males and higher for lesbian women than for all adult women. Service rates among bisexual men or bisexual women were comparable to the general population.

**Estimates of Same-Sex Orientation in the Military Based on Data from Add Health**
Recently, Add Health released data that allow for direct estimation of the fraction of military personnel who are gay or bisexual, compared with the civilian population of young adults. This survey asked whether the respondents have had military service, making it possible to identify a military subsample whose sexual orientation can be directly estimated in the data. The survey also included questions about sexual orientation that fit the military definition of homosexuality, making the data particularly well suited to estimating the fraction of military personnel subject to DADT.

Add Health follows a nationally representative, school-based sample of 20,745 adolescents who were in grades 7–12 when originally surveyed during the 1994–1995 academic year (Add Health, 2009). The pool from which the sample was drawn comprised all high schools in the United States. A total of 80 high schools and 52 middle schools were selected; the probably of selecting them was proportional to their size. The Add Health sample is representative of schools with respect to region of the country, urbanicity, school type (e.g., public, parochial, private nonreligious, military, etc.), and school size. The adolescents in the survey were interviewed at home four times, most recently in 2008, when they were ages 24–32. Seventy-six percent of those who responded in Wave 1 also responded in Wave 4.[5] When weighted to account for sampling and response rates, the Wave 4 data are representative of the U.S. population in this age group.

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[4]  The KN panel is a group of individuals recruited through random-digit dialing and supplied with computer equipment with the agreement that they will participate in a specified number of surveys for KN. As part of one of these surveys, the panel members were asked, "Are you yourself gay, lesbian, or bisexual?"

[5]  Because the Add Health data collection was designed as a cluster sample in which the clusters were sampled with unequal probability, all of the analyses here necessarily correct for design effects, the unequal probability of selection, and survey attrition by applying weights and accounting for clustering so that estimates and confidence intervals are unbiased and nationally representative. For further details regarding the sampling design and weights, see Add Health, 2009.

There are several advantages to using Add Health to examine sexual orientation and military service. First, to our knowledge, Add Health is the largest survey to include questions regarding both military service and sexual orientation, and the data cover a relatively long period following high school graduation (in Wave 4, respondent ages range from 24 to 32). This long follow-up period makes it possible to gather information about sexual orientation outside of military enlistment, since in many cases respondents have concluded their military service by later waves. Second, Add Health includes multiple measures of sexual orientation: The data provide information on sexual identity as well as sexual behavior. Third, sensitive portions of the Add Health interview, including the sections on sexual orientation and sexual behavior, were conducted via computer-aided self-interview; respondents listened through earphones while recording their responses on a laptop computer. This method has been demonstrated to improve the validity of self-reported sensitive data among adolescents (Lindberg, Jones, and Santelli, 2008; Supple, Aquilino and Wright, 1999; Turner et al., 1998).

We use the subsample of respondents in Add Health who report military service to estimate the fraction of military personnel who are gay or bisexual. We identify military service at Wave 4 of the survey. Respondents were asked "Have you ever been in the military?" as well as "Are you currently serving in the military?" The sample contains 1,112 individuals who have ever served in the military: 881 men and 231 women. When appropriately adjusted to account for the sample design, these numbers represent 9.3 percent of all men and 2.0 percent of all women in this age range. Of the 1,112 individuals with a history of service, 349 served in the reserve components (more than half of them also had active service) and 763 served only in the active component. The sizes of these sample subgroups do not allow us to determine whether the percentage of gay personnel differs in the two components. About 68 percent of military respondents had left the military by Wave 4.

In Add Health, self-reported sexual orientation is assessed by the respondent's response to "Please choose the description that best fits how you think about yourself." Possible responses include "100 percent heterosexual (straight)," "mostly heterosexual (straight), but somewhat attracted to people of your own sex," "bisexual—that is, attracted to men and women equally," "mostly homosexual (gay), but somewhat attracted to people of the opposite sex," "100 percent homosexual (gay)," and "not sexually attracted to either males or females."

In our analyses, we combine "bisexual," "mostly homosexual," and "100 percent homosexual" into a "bisexual/homosexual" category. This group encompasses the elements of the military definition of homosexuality based on self-labeling while excluding individuals who express some attraction to the same sex but consider themselves heterosexual. The latter group would not appear to meet military criteria for discharge, based on their survey responses. We exclude from analysis the less than 0.5 percent of respondents who refused to answer the question or who answered "don't know." The

survey assessed same-sex sexual behavior using the question "Considering all types of sexual activity, with how many [male/female] partners have you ever had sex?"

Figure 4.1 shows the pattern of self-reported sexual orientation (i.e., sexual identity) in the Add Health data. As the Figure highlights, self-identified gay or bisexual individuals are currently (or have recently been) serving in the military at the same rates as their representation in the U.S. civilian population—3.7 percent. Among young men who have ever served in the military, 2.2 percent fall into our gay/bisexual category, compared with 3.2 percent of civilian men. In contrast, self-identified lesbian or bisexual women are more common among military personnel than in the civilian population of U.S. young adults—10.7 percent compared with 4.2 percent.[6]

To illustrate the numbers of personnel implied by the estimated rates, we translated the rates we estimated from Add Health into numbers of men and women in the active and reserve components. For an active-duty population that totaled 1.39 million in FY 2008, the rates would translate to 26,000 men and 21,000 women serving in that year who might identify themselves as gay, lesbian, or bisexual. For the reserve component, the numbers would be 15,000 men and 16,000 women (among 0.84 million members in 2008).

We now turn to lifetime estimates of same-sex behavior in the Add Health data. The overall level of same-sex sexual experience among individuals currently or recently in the military (9.1 percent) does not differ statistically from the U.S. civilian popula-

**Figure 4.1**
**Patterns of Self-Reported Gay, Lesbian, or Bisexual Sexual Orientation in the Military Versus in the Civilian Population of Young Adults**
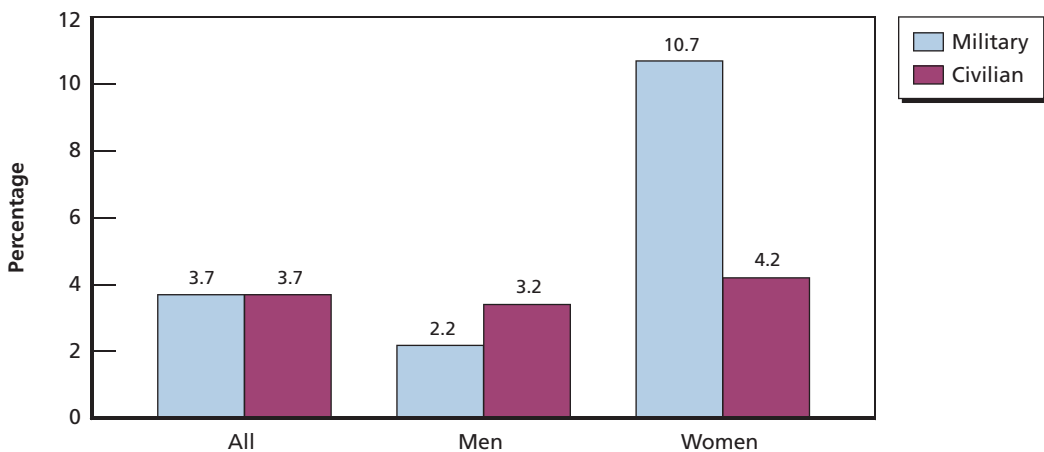


SOURCE: Add Health, 2009.
RAND *MG1056-4.1*

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[6]  The difference in the rates for military men versus all men is not statistically significant, but the difference in the rates for women is statistically significant.

tion (10.4 percent), nor does the percentage of military men with same-sex sexual experience (5.1 percent) differ significantly from the percentage of the general population of young men with same-sex sexual experience (6.5 percent). However, military women report significantly more same-sex experience (27.5 percent) than women in the civilian population (13.9 percent). As before, we translated these rates into the number of military personnel in FY 2008. The rates translate to 61,000 men and 54,000 women serving on active duty in 2008 who might have ever engaged in same-sex sexual behaviors; the numbers for the reserve components are 35,000 men and 36,000 women. Thus, the number of service members who have had same-sex experience at some time is more than twice that of those who would self-identify as gay, lesbian, or bisexual.

Add Health provides many advantages in terms of examining sexual orientation and military service. However, several caveats must be kept in mind. First, both sexual orientation and same-sex behavior are assessed at Wave 4, at which point roughly two-thirds of the military respondents were no longer currently serving. It is possible that some respondents developed a non-heterosexual orientation after completing service and that some respondents who had already completed military service did not engage in same-sex sexual behaviors until after they had left the service. As a result, the estimates of the prevalence of gay military personnel may be somewhat higher than if one were to focus on behavior or identity during service. An additional limitation to Add Health's estimates of sexual orientation and same-sex experience, particularly among the smaller military sample, is the wide confidence intervals around our estimates, especially for women. For example, while our best estimate is that 27.5 percent of military women have some same-sex experience, we can only say with a strong degree of certainty that the actual percentage is between 16.8 and 41.6 percent.

To get an idea of the number of gay individuals who are currently serving, we applied the Add Health–based rates of sexual orientation and same-sex behavior to estimate the number of FY 2008 personnel fitting each category. We did not adjust the numbers of personnel who are probably serving to match the age range of the Add Health sample (ages 24–32 in 2008). Although Add Health allows for an estimate of the fraction of military personnel who are gay from a sample of people with current or recent military service, we caution that the sample does not represent a cross section of military personnel at a point in time. While DADT remains in effect, it will not be possible to obtain this information from the serving military population.

## Key Findings: Relationship Between Gay, Lesbian, and Bisexual Identity and Same-Sex Behavior

As we have noted, sexual orientation does not fall into discrete categories, such as "gay" and "heterosexual." The boundaries between heterosexual and gay are fuzzy and

depend on how each is defined. The military bans acknowledge both same-sex behavior and gay orientation, perhaps recognizing that these are not synonymous.

Both the research literature and our analysis of data from Add Health show that not all individuals who self-identify as gay, lesbian, or bisexual engage in same-sex sexual behavior. Similarly, some individuals who self-identify as heterosexual also engage in same-sex behavior. This overlap between sexual identify and same-sex activity underscores the difficulty of clearly categorizing people as heterosexual or gay. Indeed, both the literature and self-reported behavior in Add Health show that the behavior of those describing themselves as "mostly heterosexual" does not resemble the behavior of either the heterosexual or the bisexual/homosexual group.

**Gay, Lesbian, and Bisexual Identity and Same-Sex Behavior in Published Studies**

There is empirical evidence that identity and behavior do not match perfectly and that the history of sexual behavior does not necessarily predict sexual identity. For example, in a study of Minnesota junior high and high school students, roughly three-quarters of students who reported a same-sex experience concurrently self-identified as heterosexual, not homosexual (Remafedi et al., 1992). Only 27 percent of students with any homosexual experience identified themselves as homosexual or bisexual. Sixty-five percent of both self-identified homosexual and heterosexual students reported a heterosexual experience. Such findings suggest that the correlation between sexual identity and sexual behavior is less than perfect. Over the course of a lifetime, and particularly in adolescence, people may engage in sexual experimentation and in behavior that does not reflect their sexual identity.

Using data from Massachusetts public high school students, Goodenow et al. found that, of females who reported exclusively female partners, 83 percent self-identified as heterosexual (Goodenow et al., 2008).[7] An additional 13 percent self-identified as lesbian or bisexual, and 4 percent reported not being sure of their sexual identity. Conversely, of females who reported exclusively male partners, 96 percent self-identified as heterosexual, less than 2 percent self-identified as lesbian or bisexual, and 3 percent were not sure.

Similar results have been found among adult populations. For example, Diamant et al. (1999) found that more than three-quarters of women who identified as lesbian had at some point had a male sexual partner.[8] Using the National Health and Social Life Survey (NHSLS), Laumann et al. (1994) found that of the 62 women who reported either homosexual identity or same-sex behavior, only 23 reported both; of

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[7]    Data came from the Massachusetts Youth Risk Behavior Surveys (MYRBS), which survey public high school students in grades 9 through 12. The study used data collected in four successive survey waves: 1995, 1997, 1999, and 2001. The average age of the sample was 16 years old.

[8]    The sample contained 6,935 women in the United States who responded to a survey published in *The Advocate*, a monthly national news magazine for gay men, lesbians, and bisexual men and women. It appeared as a several-page insert containing 186 questions in the March 1995 issue and included a postage-paid return envelope.

the 80 men who reported either homosexual identity or same-sex behavior, only 34 reported both.

Thus, although the correlation between identity and behavior is high (i.e., self-identified gay men, lesbians, and bisexuals are likely to engage in same-sex behavior), it does not necessarily follow that an individual's history of sexual behavior is an accurate predictor of the individual's sexual identity.

### Gay, Lesbian, and Bisexual Identity and Same-Sex Behavior in Add Health

As is the case when estimating the percentages of service members and the general population who are gay, it is useful to examine the overlap of sexual identity and sexual behavior within a recently studied sample that is of an age similar to that of most service members. Table 4.1 shows the rates of same-sex experience among persons with a gay, lesbian, and bisexual identity based on data from Add Health, focusing as in our prior analysis on Wave 4 responses (ages 24–32 in 2008). We report estimates only for the U.S. population because the military subsample in Add Health is too small to divide into the multiple categories required and still obtain reliable estimates of the number of persons in each relevant group.

The table shows the proportion of persons in each self-reported sexual identity category who reported ever having had a same-sex experience. Similar patterns appear for men and women, although a significantly higher proportion of 100-percent heterosexual women report ever having a same-sex experience than do 100-percent heterosexual men.

**Table 4.1**
**Comparison of Sexual Identity and Sexual Behavior in Add Health**

| Sexual Identity | Percentage That Has Ever Had a Same-Sex Experience | | |
|---|---|---|---|
| | Total Population | Males | Females |
| 100% heterosexual | 4 | 2 | 5 |
| Mostly heterosexual | 38 | 38 | 38 |
| Bisexual/homosexual | 92 | 91 | 93 |
| Total | 10 | 6 | 14 |

SOURCE: Add Health, 2009.

## Key Findings: Development of Sexual Identity

Not all individuals who identify as gay or heterosexual at one point in their lives will do so at another. Shifts in orientation are particularly likely as a consequence of maturation—a process referred to as sexual-identity development. Given that enlisted personnel are typically young adults, some individuals who do not see themselves as gay or do not engage in same-sex activity before they enter the military may do so some time after enlisting.

We examined the literature describing the process through which an individual comes to label himself or herself as having a particular sexual orientation in order to determine at what age most gay, lesbian, or bisexual individuals first engage in sexual activity with the same sex (i.e., make their same-sex sexual debut) or first self-identify as gay, lesbian, or bisexual. Overall, we found that a substantial proportion of individuals who later identified themselves as gay have not reached these milestones in their sexual development until after age 18, the age when individuals may first join the military. Below we highlight some key study findings.

### Same-Sex Sexual Debut

Average age of first same-sex behavior ranges from 13 to almost 20, with males making their sexual debut about a year earlier than females (D'Augelli, Grossman, and Starks, 2008; D'Augelli and Hershberger, 1993; D'Augelli, Hershberger, and Pilkington, 1998; Floyd and Bakeman, 2006; Floyd and Stein, 2002; Grov et al., 2006; Maguen et al., 2002; Rosario, 1996; Savin-Williams and Diamond, 2000). Individuals currently making their same-sex sexual debut are doing so sooner than older cohorts (Floyd and Bakeman, 2006; Grov et al., 2006), suggesting that more-recent studies examining first same-sex sexual activity may give a more accurate picture of the issues confronting the military. A large study of 2,733 individuals ages 18–24 years attending gay, lesbian, and bisexual community events in New York City and Los Angeles in 2003 found an average same-sex sexual debut age of 16.1 years for males and 16.9 for females (Grov et al., 2006).

The published study did not provide information on how many individuals made their same-sex sexual debut at age 18 or later; however, we obtained this information directly from the authors. They reported that 52 percent of males and 62 percent of females in the sample had their same-sex sexual debut at age 18 or later (Grov, 2010).

Another study of a diverse sample of 542 gay youth ages 14–21 recruited from social and recreational groups across the United States in 1987–1989 and 1995–1997 (D'Augelli, Grossman, and Starks, 2008) found an average sexual debut age of 15 for males and 16 for females. We again obtained information directly from the author on the percentage of individuals who made their same-sex sexual debut after age 18. The study found that 29 percent of males and 35 percent of females were age 18 or older when they first engaged in same-sex sexual behavior (D'Augelli, 2010). Same-sex sexual

debut may be earlier in this study because of its truncated age range, which necessarily pulls down the average age. However, overall, both studies that were able to provide more fine-grained statistics found that a substantial proportion of individuals make their same-sex sexual debut after age 18.

### First Self-Labeling as Gay, Lesbian, or Bisexual

The average age at which individuals first label themselves as gay, lesbian, or bisexual ranges from 14 to almost 20 (D'Augelli, Grossman, and Starks, 2008; D'Augelli and Hershberger, 1993; D'Augelli, Hershberger, and Pilkington, 1998; Floyd and Bakeman, 2006; Floyd and Stein, 2002; Grov et al., 2006; Maguen et al., 2002; Rosario, 1996; Savin-Williams and Diamond, 2000). Perhaps the best estimate comes from Herek et al.'s KN survey (described above, 2010), because their sample is selected without using gay organizations or similar groups to identify and recruit participants. They find an average age of 17.3 years for first labeling oneself as gay, lesbian, or bisexual.

Self-labeling tends to occur about a year later for females than for males and occurs earlier for younger, more recent cohorts (Floyd and Bakeman, 2006; Grov et al., 2006). For instance, in the diverse national sample of gay youth described above, first self-labeling occurred at age 14.9 for males and 15.7 for females (D'Augelli, 2002), and 17 percent of males and 25 percent of females first identified themselves as gay, lesbian, or bisexual at age 18 or later (D'Augelli, 2010). In the recent study of over 2,000 individuals in New York City and Los Angeles, the average age of first self-labeling was 15.0 for males ages 18–24 and 15.9 for females ages 18–24 (Grov et al., 2006). Further, 46 percent of males and 56 percent of females in the sample identified themselves as gay, lesbian, or bisexual at age 18 or later (Grov, 2010). In Herek et al.'s study (2010), the average age of first self-labeling was 15.1 years for males and 18 years for females.

The studies described above require participants to recall significant milestones in their sexual development and may be affected by generally inaccurate or biased recall. Moreover, they examined youth who were participating in events for gay individuals or individuals in major urban areas. These persons may have been more likely to make their same-sex sexual debut and identify themselves as gay at earlier ages, as these samples may overrepresent individuals who are more "out" or more comfortable with their sexual identity. They may also include persons who are more likely to be in social networks with others who are potential partners for same-sex activities or who provide social support for developing a comfortable gay identity. Thus, it is possible that these sexual identity development milestones may occur somewhat later among individuals who enlist in the military.

## Key Findings: Disclosure of Gay, Lesbian, or Bisexual Orientation

Repeal of DADT would permit gay, lesbian, and bisexual individuals who serve in the military to disclose their sexual orientation to other service members. Thus, it is important to understand the factors that influence disclosure and the extent to which individuals disclose their sexual orientation to others. Overall, our review of the scientific literature suggests the following conclusions:

- Disclosure is selective—not all members of a gay or bisexual individual's social network are told.
- Disclosure can be explicit and verbal or indirect (e.g., mention of a partner with a same-sex name).
- Gay individuals are more likely to disclose their sexual orientation to individuals with whom they have a closer relationship.

Although we believe that these general conclusions are sound, rates of disclosure presented in individual studies must be interpreted with caution. The studies related to disclosure are generally based on nonrepresentative samples and, in particular, on samples that may be more disclosing of their sexual orientation (because they were recruited through organizations serving gay people, membership in which may be part of coming out). We note also that our review focuses on disclosure to coworkers, as this is most relevant to the military, but we do provide a small amount of data concerning disclosure to friends and family, by way of comparison and because it helps to illuminate the more general factors that influence when sexual orientation is, or is not, disclosed.

### Defining Disclosure

Voluntary disclosure of gay sexual orientation, sometimes referred to as "coming out," is not "all or nothing"; rather, it is selective and discretionary. Individuals choose to whom they will disclose their sexual orientation and in which settings, based on their judgments of the appropriateness of making a disclosure and the likely reaction of others (Beals and Peplau, 2006; Mosher, 2001). The factors that may affect likelihood of disclosure in various settings are discussed in the next subsection.

Study of disclosure is complicated by the fact that it can be defined and measured in a variety of ways. Studies typically ask how "open" individuals are about being gay (e.g., Human Rights Campaign Foundation, 2009) or how many gay individuals have disclosed their orientation (e.g., Ragins, Singh, and Cornwell, 2007). However, it is unclear how respondents interpret these questions. Further, openness and disclosure may encompass both "direct" disclosure (e.g., telling someone that one is gay) and "indirect" disclosure (e.g., mentioning a same-sex partner by name). Rates of disclosure may differ based on how disclosure is defined (Eliason and Schope, 2001).

**Factors Predicting Disclosure of Sexual Orientation**

Both personal and contextual factors predict whether a gay man, lesbian, or bisexual decides to disclose his or her sexual orientation (Croteau, Anderson, and VanderWal, 2008). Claire, Beatty, and Maclean (2005) offered a conceptual model of the factors that influence whether or not an individual chooses to reveal a stigmatizing "invisible social identity" (i.e., identification with a stigmatized group that cannot be identified by one's physical appearance alone). Ragins (2008) expanded on Claire, Beatty, and Maclean (2005) by discussing both work and nonwork settings and emphasizing that individuals may disclose a stigmatized identity to different degrees across these life domains. Both models encompass, but are not exclusive to, minority sexual orientation. Both suggest that disclosure is dependent on an individual's analysis of the perceived positive and negative consequences of disclosure.

**Select Individual Factors Associated with Disclosure.** A number of demographic factors are associated with disclosure of gay, lesbian, or bisexual orientation. Ethnic/racial minorities are less likely to disclose sexual orientation compared with white individuals (Human Rights Campaign Foundation, 2009; Kennamer et al., 2000; Morris, Waldo, and Rothblum, 2001), probably because homosexuality is particularly stigmatized in minority cultures (Fullilove and Fullilove, 1999). Age, gender, and relationship status also appear to affect disclosure, with younger individuals, gay men, and single individuals more reluctant to disclose their sexual orientation in work settings, compared with older individuals, lesbians, and those in committed relationships (Human Rights Campaign Foundation, 2009).

Some research on gay men, lesbians, and bisexuals provides evidence that individuals with stronger self-identification as gay or bisexual are more likely to disclose their sexual orientation (Chrobot-Mason, Button, and DiClementi, 2001). However, at least one study found that individuals whose sexual orientation was more central to their identity were not necessarily more likely to disclose their sexual orientation at work (Griffith and Hebl, 2002). This study examined workplace disclosure among 220 gay men and 159 lesbians in Houston, Texas, recruited from gay-friendly nonprofit clubs, businesses, and establishments, a gay and lesbian citywide monthly publication and listserv, and a gay and lesbian business exposition. The study found that increased self-acceptance and being more "out" to heterosexual friends were associated with increased disclosure at work, but, contrary to predictions, centrality of sexual orientation to identity was unrelated to disclosure.

**Contextual Factors Associated with Disclosure.** Claire, Beatty, and Maclean (2005) posited that the organizational diversity climate, industry and professional norms, and legal protections all influence the decision to disclose sexual orientation. Ragins, Singh, and Cornwell (2007) similarly emphasized institutional support for the stigmatized group as a factor that influences disclosure. Consistent with these theories, empirical evidence suggests that gay individuals are more likely to disclose their sexual orientation in workplaces that are more gay-supportive (Chrobot-Mason, Button, and

DiClementi, 2001; Driscoll, Kelley, and Fassinger, 1996; Griffith and Hebl, 2002). For instance, in the study of Houston-area gay men and lesbians described above, perceived employer gay and lesbian supportiveness (e.g., "My company is committed to the fair treatment of lesbian and gay workers") was associated with increased disclosure at work (Griffith and Hebl, 2002). Exploratory analyses revealed other policies related to more disclosure, including employer-written nondiscrimination policies, diversity training that specifically includes gay and lesbian issues (compared with general diversity training), and showing support for gay and lesbian activities. These policies were also related to more positive coworker reactions to disclosure and fewer perceptions of job discrimination or unfair treatment from a boss or supervisor.

Another study of 255 gay and lesbian employees representing 82 employers similarly found that individuals are more likely to avoid disclosing their sexual orientation and less likely to be open about their sexuality in organizations that are perceived as less supportive of gay and lesbian workers (Chrobot-Mason, Button, and DiClementi, 2001). Other studies have also found that perceived supportiveness of supervisors and coworkers (Ragins, Singh, and Cornwell, 2007) and workplace nondiscrimination policies that extend to sexual orientation (Driscoll, Kelley, and Fassinger, 1996) are associated with disclosure at work.

A desire to build or preserve close relationships may motivate individuals to disclose personal information, such as sexual orientation; conversely, it may motivate them to keep their stigmatized identity a secret, depending on the nature of their relationship with the recipient of the disclosure (Claire, Beatty, and Maclean, 2005). In Ragins' model of disclosure, environmental support for disclosure includes the presence of similar others who have disclosed their stigmatized identity (e.g., similar gay individuals who are "out") as well as supportive relationships with people who are not in the stigmatized group (e.g., heterosexual friends; Ragins, Singh, and Cornwell, 2007).

There is empirical evidence that social support predicts disclosure of sexual orientation in the workplace (Ragins, Singh, and Cornwell, 2007). Similarly, disclosure is indeed affected by the characteristics of the person being disclosed to, including the recipient's gender, as well as the type of relationship (e.g., coworker, friend, family member, physician) and closeness of the relationship (e.g., friend versus neighbor or other acquaintance; Beals and Peplau, 2006; Schope, 2002). We explore these effects in further detail in the following sections on disclosure at work and in nonwork settings.

**Disclosure of Sexual Orientation at Work**

Studies of disclosure of sexual orientation at work have found that, on average, less than half of gay men and lesbians are "out to everyone" or "very open" about their sexual orientation at work, with estimates varying widely (Bradford, Ryan, and Rothblum, 1994; Croteau, 1996; Human Rights Campaign Foundation, 2009; Levine and Leonard, 1984; Ragins, Singh, and Cornwell, 2007; Schneider, 1986; Schneider et al., 2007; Schope, 2002). However, the results of all these studies should be viewed

with caution, as they may be influenced by such factors as the quality of the samples, the kind of workplace, the recency of the study, and the source of the information. Moreover, while these studies cover a wide range of workplaces, few of them closely resemble military settings.

　　Table 4.2 summarizes the extent of disclosure to coworkers reported across the key studies that we reviewed. These studies provide an overview of workplace disclosure rates; none of the studies examine disclosure of sexual orientation in military work settings. Interpretation of the information in Table 4.2 is hindered by the fact that the listed studies used somewhat different measures to assess disclosure rates. All but two studies placed respondents in one of four categories; Schope (2002) placed them in

**Table 4.2**
**Percentage of Coworkers Who Know Respondents' Sexual Orientation, Across Studies**

| Study | Participants | Not Open[a] (%) | Somewhat Open[b] (%) | Mostly Open[c] (%) | Very Open[d] (%) |
|---|---|---|---|---|---|
| Levine and Leonard, 1984[e] | 203 lesbians in various occupations, recruited from social gathering places | 27 | 21 | 29 | 23 |
| Schneider, 1986 | 228 lesbian workers in various occupations, recruited through a network of lesbian contacts | 29 | 32 | 23 | 16 |
| Bradford, Ryan, and Rothblum, 1994 | 1,925 lesbians surveyed in 1984–1985; national but nonrepresentative sample | 36 | 33 | 14 | 17 |
| Croteau and Lark, 1995 | 174 college student affairs professionals | 6 | 15 | 32 | 47 |
| Schope, 2002[e] | 443 gay men, recruited from gay organizations in the Midwest | 26 | 38 | | 35 |
| Ragins, Singh, and Cornwell, 2007 | 534 gay, lesbian, and bisexual employees; national, random sample of members of gay rights organizations | 12 | 37 | 25 | 27 |
| Human Rights Campaign Foundation, 2009[f] | 761 gay, lesbian, bisexual, and transsexual employees recruited through random digit–dialing telephone sampling; nationally representative, probability-based sample | 28 | 23 | 22 | 27 |

[a] Categories included: no one, 10% or fewer, not open.

[b] Categories included: some, only close friends know, 11–50%, open to a few people, somewhat open.

[c] Categories included: half or most, mostly open.

[d] Categories included: everyone, all or most, very or totally open.

[e] See text for important detail regarding response scales for this study.

[f] Gay rights advocacy organization; report not peer reviewed.

three, and Bradford, Ryan, and Rothblum (1994) used a variety of responses that we consolidated into four to allow comparison with the other studies.

Examination of the data in Table 4.2 suggests that approximately one-quarter of gay men, lesbians, and bisexuals keep their sexual orientation a secret; about one-quarter are completely open about their sexual orientation; and the other half fall somewhere in the middle, disclosing their sexual orientation to select individuals.

In addition to the studies reviewed in the table, a recent study of a national sample of 662 gay individuals found that 81 percent of gay men, 77 percent of lesbians, 18 percent of bisexual men, and 56 percent of bisexual women were to some extent out to coworkers, with slightly lower numbers of each of these groups out to a boss or supervisor. While these numbers seem high compared to other studies, when asked to rate the degree to which they were out at work, from 1 (not at all out) to 8 (completely out), the average response fell just below the midpoint, consistent with the other studies we have reviewed (Herek et al., 2010).

**Disclosure of Sexual Orientation in Nonwork Settings**

Our review of select studies on disclosure of sexual orientation in nonwork settings supplements findings on disclosure at work. As a workplace, the military is unique in the extent to which family and personal life overlap with the work setting. As such, rates of disclosure of sexual orientation to coworkers in the military may be more analogous to civilian rates of disclosure to friends and neighbors. Whether or not this is the case, examining patterns of disclosure across settings provides some insights regarding the factors that affect when and to whom a gay or bisexual individual is likely to reveal his or her orientation. Overall, the literature shows that gay individuals are more likely to disclose their sexual orientation to friends and family members than to neighbors or acquaintances. Specifically, across the samples that have been studied, we found the following:

- Most gay persons have disclosed their sexual orientation to their families, particularly to mothers and siblings. Estimates include 59 percent of a sample of black lesbians disclosing to mothers and 38 percent disclosing to fathers (Bowleg et al., 2008); within a national sample of gay persons, 74 percent of gay men and 81 percent of lesbians disclosing to mothers and 60 and 58 percent, respectively, disclosing to fathers (Herek et al., 2010); 65 percent of gay men in the Midwest disclosing to parents (Schope, 2002); and among gay, lesbian, bisexual, and transsexual youth in the Southeastern United States, 67 percent report disclosing to fathers and 84 percent disclosing to mothers (Maguen et al., 2002). Estimates of disclosing to siblings are 77 percent in one study (Schope, 2002), 79 percent in another (Maguen et al., 2002), and 82–87 percent in a third (Herek et al., 2010).
- 86–95 percent of gay men and lesbians disclose their sexual orientation to one or more friends, but only between 58 and 77 percent are "very open" with friends or

talk to them about their sexual identity (Bowleg et al., 2008; Herek et al., 2010; Maguen et al., 2002; Schope, 2002).

In contrast, with neighbors and acquaintances, only 55 to 74 percent were at all open, and only 34 percent were "very open" or talked about their identity (22 percent) with this group (Bowleg et al., 2008; Schope, 2002). Other well-conducted studies produce estimates and patterns consistent with those noted above (Bradford, Ryan, and Rothblum, 1994; Morris, Waldo, and Rothblum, 2001). The full pattern of results from one of the studies comparing friends and neighbors (Schope, 2002) is displayed in Figure 4.2.

Studies also indicate that there is wide variation among gay, lesbian, and bisexual individuals in the number of people to whom they have disclosed their sexual identity. Summary items such as those used in most research allow general conclusions but may miss important information by grouping categories of response together. A recent study provides some in-depth information on disclosure: 89 gay men and 55 lesbians provided in-depth information about disclosure across each individual's entire social network (Beals and Peplau, 2006). The disclosure grid used in this research asked participants about disclosure to every person in their social network. The grid listed 18 categories of people (e.g., mother, father, siblings, other close relatives, heterosexual friends, gay or lesbian friends, coworkers, neighbors, mentors, etc.), and participants were asked to add others in their social network who did not fall under these categories. The study queried whether each person had knowledge of the participant's sexual orientation and whether the participant had disclosed his or her orientation directly,

**Figure 4.2**
**Gay Men Ages 24–34 Reveal Their Sexual Orientation Selectively**
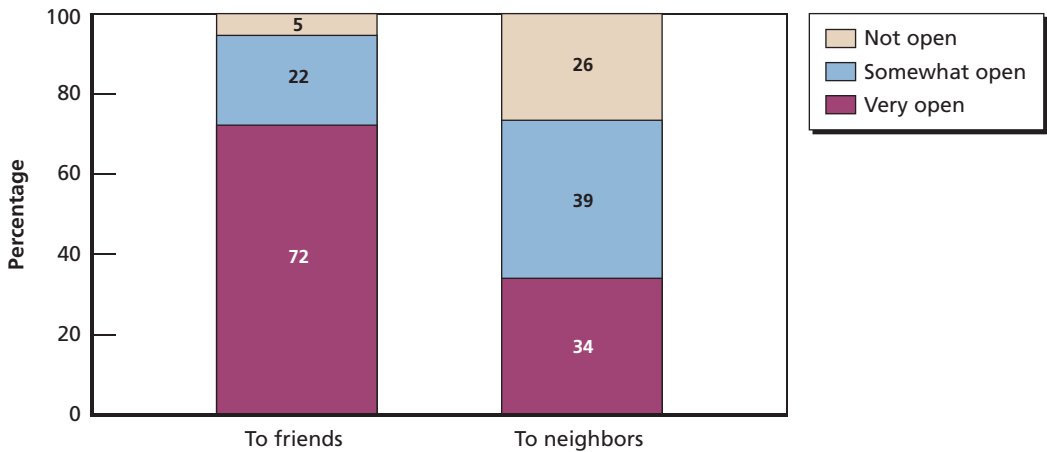


SOURCE: Schope, 2002.

operationally defined as the participant personally telling the individual that he or she is gay or lesbian.

The study found that participants had disclosed their sexual orientation to an average of 60 percent of their social network. Participants had directly disclosed their sexual orientation to about 78 percent of these individuals; 22 percent had learned indirectly. Consistent with prior work, individuals were more likely to directly disclose to heterosexual friends, compared with family members and coworkers, and tended to disclose to female friends and family members before disclosing to males in their social network, regardless of their own gender.

We repeat here our caveat that the samples on which these studies of disclosure are based are not representative. They nearly all include individuals recruited from gay organizations and events, and most are based on regional, rather than national, samples. But they provide the best estimates available, and there is no reason to believe that patterns of disclosure (e.g., to friends versus acquaintances) would be different in more representative samples, although overall rates of disclosure are almost certainly less among persons who are not "out" in any context and are thus more difficult to identify for surveys.

**Disclosure of Sexual Orientation in the Military**

Given current policy, there are no previous studies of sexual orientation disclosure in the U.S. military that can be compared with the studies summarized above. Evidence that the organizational climate, including social and professional norms, affects the extent of workplace disclosure (Chrobot-Mason, Button, and DiClementi, 2001; Griffith and Hebl, 2002; Ragins, Singh, and Cornwell, 2007) has implications for disclosure in the military. Given prior bans on military service for gay individuals, as well as the current DADT policy, we expect that gay service members will view the military climate as less supportive of their sexual orientation than most workplaces. Thus, allowing gay service members to disclose their orientation should result in few such revelations immediately, relative to rates observed in most other workplaces.

Qualitative evidence from the Canadian military experience supports this hypothesis. The U.S. General Accounting Office (GAO) interviewed officials in the Canadian Department of National Defence (DND) shortly after Canada lifted its ban on gay personnel in the military. DND officials reported a smooth transition in the first six months of the new policy, particularly noting low levels of disclosure (GAO, 1993). According to the GAO report, "DND officials said that the new policy has not caused homosexual military personnel to 'come out of the closet' in mass numbers" (p. 32). The GAO report noted that DND officials believed that many individuals will not openly express their sexual orientation because they will not see any advantage to doing so. This assertion is in line with findings that degree of disclosure is influenced by anticipated consequences of disclosure in a particular context (Croteau, Anderson, and

VanderWal, 2008). It also agrees with reports from other foreign militaries described elsewhere in this report (see Chapter Ten).

The survey that we conducted of gay service members for this study provides the only information available on disclosure in the military (see Chapter Nine). This survey could not be carried out with population sampling, so it may not be representative of all gay service members. Consistent with the expectations we drew from the civilian literature and Canadian experience, participants in this survey appear to be less likely than their civilian counterparts to disclose their orientation to others in their unit. Two-thirds either pretend to be heterosexual or avoid talking about their orientation. Only a handful of the roughly 200 respondents are open; most of those who do disclose their orientation to others in their unit do so selectively. These participants indicated that they would be more likely to disclose their orientation if DADT were repealed, but only 14 percent said they would disclose to all unit members. Based on this survey, we can conclude that gay service members would continue to be more selective in disclosure than gay civilians are, at least initially.

**Potential Consequences of Disclosing Sexual Orientation**

There is evidence that disclosure of minority sexual orientation may be associated with better job attitudes and well-being in the workplace (Day and Schoenrade, 1997), higher-quality interpersonal relationships (Beals and Peplau, 2006), and better mental health (Meyer, 2003; Morris, Waldo and Rothblum, 2001). Conversely, concealing information about oneself, including information about sexual identity, may lead to psychological problems, including preoccupation with the information, anxiety, and social isolation (Smart and Wegner, 2000; Pachankis, 2007).

For instance, a study of 744 gay men and lesbian employees in the Midwestern United States found that individuals who are more open about their sexual orientation at work displayed a stronger emotional bond to the organization, perceived higher top management support, had higher job satisfaction, and reported less conflict between work life and home life (Day and Schoenrade, 1997). Another study found that disclosing sexual orientation at work was related to higher job satisfaction and lower job anxiety (Griffith and Hebl, 2002).

A key issue that has been raised regarding DADT is its potential impact on trust and relationship-building among military personnel. If service members must lie about or otherwise conceal their sexual orientation, does that undermine bonds among service personnel? A substantial psychological literature indicates that disclosure of personal information, in general, is a key factor in building close, trusting relationships among peers. Indeed, studies have provided evidence that disclosure, solidarity, and trust are all interrelated (Wheeless, 1978; Wheeless and Grotz, 1977). Particularly strong evidence for a causal effect of disclosure on relationship quality comes from experimental research, which can manipulate the level of disclosure and observe the outcomes. For instance, Aron et al. (1997) conducted an experiment with university

students in which one group of partners engaged in self-disclosure and relationship-building tasks and the other group of partners engaged in small talk. Which student was asked to engage in which task was determined at random, so that personal preferences could not affect whether disclosure took place. The study found that the individuals in the disclosure condition reported feeling greater closeness with their partners after the task than those in the small-talk condition.

Further, in a meta-analytic review of 94 studies, Collins and Miller (1994) found strong evidence for a relationship between disclosure and liking. In particular, the study found that people who disclose more information about themselves are liked more by others and that disclosing to others results in the disclosers liking the recipients of the disclosure more. The study found this effect across both correlational studies that queried ongoing relationships and well-controlled experimental research in which the level of disclosure was manipulated. These experimental studies provide particularly strong evidence that increased disclosure contributes to increased liking of the discloser.

Some studies have specifically addressed how disclosing sexual orientation affects relationships. Earlier studies focused on the effect of disclosure on relationships with parents and provided evidence that disclosure may, but will not always, improve these relationships (Ben-Ari, 1995; Cramer and Roach, 1988). Specifically, one study of gay men found that relationships with parents were initially strained after disclosure but improved over time, sometimes becoming stronger than they were prior to disclosure (Cramer and Roach, 1988). Another study of just 32 gay men and lesbians found that 56 percent of participants reported improvement in their relationships with parents following disclosure (Ben-Ari, 1995).

Recently, a more comprehensive study examined how disclosing sexual orientation affected a wide variety of relationships among a small group of gay and lesbian individuals in a Los Angeles university community, 70 percent of whom were college or graduate students (Beals and Peplau, 2006). The study asked participants to report on disclosure to various people in their lives, the quality of those relationships before and after disclosure, and recipients' initial and current acceptance of their orientation. The average ratings of relationship quality were similar before and after disclosure for the various relationships examined. Relationship quality was higher among social network members who knew the participant's sexual orientation, especially those who were told directly, compared with those who did not know. The authors note that there are two explanations for this difference, both of which may be true: Disclosure may have strengthened the relationship, or the participants may have disclosed their orientation selectively to people with whom they had the strongest relationships.

The authors noted that average ratings of family relationship quality were the same before and after disclosure. However, after disaggregating the findings in the family domain, they reported that relationship quality improved after disclosure in 25 percent of cases, stayed the same for 50 percent, and became worse for 25 percent of participants. The study only examined existing social relationships. Cases in which

relationship ties were severed as a result of the disclosure of sexual orientation (arguably the greatest downturn in relationship quality possible) would not have been captured by the research.

Taking into account this study, as well as previous research on disclosure and relationship quality, it seems likely that disclosure would have limited effect on military relationships, assuming that it is engaged in voluntarily and selectively, with service members choosing to whom they confide. It is important to note, however, that participants in the Beals and Peplau study experienced some negative reactions, and there is research indicating that disclosure of sexual orientation can lead to verbal and physical victimization, including harassment and physical assault (D'Augelli and Grossman, 2001; Herek, Cogan, and Gillis, 2002).

In addition to the direct effects on relationship quality outlined above, permitting gay service personnel to disclose their sexual orientation may also have indirect benefits for the psychological well-being of these individuals by increasing their social support. Some gay service members may feel socially isolated under the current DADT policy, as they may limit social interactions and friendships in order to avoid having their sexual orientation inadvertently revealed (e.g., through mention of a partner's name). Thus, repeal of DADT may provide an opportunity for gay individuals to expand their social network within the military. Indeed, there is evidence from civilian samples that increased disclosure of sexual orientation to family, friends, and coworkers is associated with greater social support (Jordan and Deluty, 1998, 2000).

The relationship between disclosure and social support is important because social support is an important contributor to mental health, while lack of social support is strongly associated with the development of both depression (e.g., see Paykel, 1994, for a review) and post-traumatic stress disorder (PTSD) (see Brewin, Andrews, and Valentine, 2000; and Ozer et al., 2003, for meta-analytic reviews). Indeed, social support is particularly critical for responding well to stress: Individuals who have higher levels of social support are less likely to develop psychological problems than individuals with lower levels who are exposed to comparable levels of stress (Paykel, 1994). Thus, social support has a "buffering" effect.

Of particular relevance to the military, social support has been associated with reduced effect of combat stress among military veterans. Specifically, studies of veterans have shown that social support, particularly after homecoming, is associated with reduced likelihood and severity of PTSD and other mental health problems (Fontana, Rosenheck, and Horvath, 1997; King et al., 1998), particularly among veterans with the greatest amount of war-zone exposure (Fontana, Rosenheck, and Horvath, 1997). Almost all the gay service members who responded to our survey attributed some problems with personal relationships and relationships with others in their units to serving under the constraints of DADT (see Chapter Nine). Taking all these findings together, there is reason to believe that repeal of DADT may serve to increase social support and thus increase resilience among gay service members. It may also improve the well-

being of some heterosexual service members to the extent that disclosures cement their relationships with gay persons in their units, although in some percentage of cases the quality of relationships may decrease.

There is also evidence that disclosure may be directly associated with well-being among those who disclose. Broader psychological research that does not focus specifically on sexual orientation has provided evidence that expression of thoughts and feelings is associated with improved physical and psychological health. In particular, extensive experimental research has been conducted in which participants are randomly assigned to write about either (1) their deepest thoughts and feelings or (2) superficial topics. These studies have found that the participants who wrote about their thoughts and feelings experienced a number of positive outcomes, including reduced physician visits for illness, improved immune function, decreased work absences, reduced depressive symptoms, and improved psychological well-being (Gortner, Rude, and Pennebaker, 2006; Pennebaker, 1997; Smyth, 1998).

Especially relevant are two correlational studies of gay men. One study found that gay men with HIV infection who had revealed their sexual orientation to others showed slower rates of disease progression (Cole et al., 1996b). The second study showed that among HIV-negative gay men, there were higher rates of cancer and infectious disease over a five-year period among those who concealed their sexual orientation compared with those who were "out" (Cole et al., 1996a).

In addition to this more-general evidence linking disclosure with well-being, there is more-specific evidence that disclosure of sexual orientation is associated with improved mental health. In a review examining mental health problems among gay people, Meyer (2003) points out that "hiding of sexual orientation can be seen as a proximal stressor" (p. 676) and notes that concealing one's stigmatized status "takes a heavy toll on the person using this coping strategy" (p. 677). Indeed, a large study of 2,401 lesbian and bisexual women found that "outness" predicted lower psychological distress, which in turn predicted lower rates of suicide ideation and attempts (Morris, Waldo, and Rothblum, 2001). In another study of 499 lesbians, wider disclosure of sexual orientation was associated with less anxiety, more positive emotions, and greater self-esteem (Jordan and Deluty, 1998). Thus, disclosure of sexual orientation may be associated with better mental health.

A final area of interest to the military is the likely effect of disclosure on other people in a gay, lesbian, or bisexual individual's social network. Do family, friends, or coworkers experience changes in well-being when they learn that another's orientation is nonheterosexual? If so, there might be implications for unit cohesion or general well-being among personnel. We encountered no data that address this question.

**Potential Consequences of Concealing a Gay, Lesbian, or Bisexual Orientation**
Although gay individuals can choose to whom they disclose their sexual orientation, keeping one's orientation a secret is not necessarily easy. People may be "outed" by

others or may inadvertently disclose their sexual orientation themselves by mentioning a name, activity, or event. Long-standing theory and some empirical evidence indicate that concealing one's gay, lesbian, or bisexual orientation may have adverse psychological consequences. In an often-cited sociological paper, Erving Goffman (1986) discussed the phenomenon of "passing," in which individuals with a characteristic that is stigmatized by society attempt to hide this from others. Gay and lesbian service members who are not "out" are in the class Goffman refers to as "discreditables." So long as their stigmatized identity remains concealed, they can "pass" as normal. But keeping their secret requires constant information control—an endless series of decisions about whom to tell, when to tell, and when and to whom they should actively lie. They must maintain constant vigilance against careless or inadvertent disclosure. In Goffman's view, the psychological costs of leading a life of concealment, when there is always a threat that one's entire life could collapse, are considerable.

Building on Goffman's work and key social-psychological theory regarding control of one's thoughts (i.e., the preoccupation model of secrecy), Lane and Wegner (1995), Smart and Wegner (1999 and 2000), and more recently Pachankis (2007) also address the consequences of concealing a stigma. Pachankis argues that these consequences include anxiety, depression, hostility, and decreased self-efficacy (i.e., diminished belief that one can accomplish what one sets out to do). Smart and Wegner (1999 and 2000) posit that attempting to conceal a stigma, similar to other secrets, ultimately leads to preoccupation with thoughts about the stigma, which may impact the individual's well-being and interpersonal functioning. Briefly, the harder a person works to avoid disclosing his or her stigma by putting it out of mind, the more he or she experiences intrusive thoughts of it. This in turn feeds fears of inadvertently disclosing the stigma, escalating a cycle of thought suppression, thought intrusion, and distress. There is some empirical support for this conceptual model from experimental studies of college students asked to conceal information from another student during a brief interaction. These studies of concealing a stigma are referred to as the "private hell" studies to emphasize the inner turmoil hypothesized to result from concealing a stigma (Smart and Wegner, 2000), although the kinds of distress that have been demonstrated in laboratory experiments do not reach the high levels predicted by the theory, for practical and ethical reasons.

None of these studies directly examines the effect of concealing a gay or bisexual orientation. However, Smart and Wegner (2000) provide an example of the process they posit in the form of a quote from Greg Louganis, a former Olympic diver who concealed both his gay sexual orientation and his HIV-positive status for many years:

> I also want to set the record straight about who I am, because my secrets have become overwhelming. I want to start living my life the way normal people do, without having to watch every word, without having to remember what I've shared with whom, I want never again to feel compelled to hide out in my house in the

California hills, avoiding situations in which I have to edit what I say and lie about my life. (Louganis, 1996, p. xiii)

Goffman's work and that of other theorists would suggest that such experiences may also occur among gay persons serving in the military under the current DADT policy and that they may adversely affect psychological well-being. Results of RAND's Internet survey support these hypotheses. Currently serving gay, lesbian, and bisexual military personnel who responded to the survey identified personal costs that they attributed to the DADT policy, including problems with personal issues, relationships with unit members, and stress and anxiety in daily life. More than one-third attributed mental health problems to DADT.

Survey results are discussed in greater detail in Chapter Nine. Mental health issues among gay, lesbian, and bisexual individuals are discussed in Chapter Seven.

## Key Findings: Committed Relationships Among Gay Men, Lesbians, and Bisexuals

The percentage of gay persons serving in the military who are living in committed relationships is relevant to consequences of repealing DADT if providing benefits for the partners of gay service members becomes an issue. It is also relevant to issues of disclosure because at least some gay service members may bring their partners to social gatherings if DADT is repealed. More than 85 percent of respondents to RAND's Internet survey of gay service members thought that gay men and lesbians would bring partners to family events if DADT were repealed (see Chapter Nine).

Little research documents the prevalence of committed relationships among gay men, lesbians, and bisexuals using samples that are likely to be representative. However, the Herek web-based KN panel study described at various points above is a national sample and does not rely on gay organizations for recruiting, suggesting that it is more representative than most samples of gay persons (Herek et al., 2010).

Herek et al. found that most individuals who identify themselves as gay, lesbian, or bisexual report not being in any committed same-sex relationship (Table 4.3). Of those with any same-sex relationship, most report that they are cohabiting. Only 4 percent report being married to, being in a civil union with, or having a domestic partner who is of the same sex. These percentages vary across gay men, lesbians, and bisexual men and women. Notably, substantial percentages of bisexual men and women report being in committed opposite-sex relationships, while this was exceedingly rare among gay men and lesbians (both <1 percent).

Knowing how many individuals are currently in a same-sex relationship does not give us a complete picture of the nature of committed relationships among this population. It is useful to examine how gay individuals view the notion of making a

formal commitment to a relationship via marriage, if it were an option. Herek et al. asked respondents who were in a same-sex relationship whether they would marry if marriage were legal; they asked respondents not in a relationship whether they would like to marry some day. Figure 4.3 shows intentions to marry if marriage were legal for the first group—respondents who were in a same-sex relationship (but not married).

**Table 4.3**
**Relationship Status of Gay, Lesbian, and Bisexual Individuals**

| Type of Relationship | Gay Men (%) | Bisexual Men (%) | Lesbians (%) | Bisexual Women (%) | All Groups (%) |
|---|---|---|---|---|---|
| Same-sex relationship | | | | | |
| Married/civil union/domestic partner | 4.1 | <1.0 | 16.1 | 1.5 | 4.2 |
| Cohabiting | 24.9 | 3.0 | 45.3 | 3.3 | 16.9 |
| Romantic, non-cohabiting relationship | 10.7 | 2.0 | 14.5 | 2.8 | 7.1 |
| No committed same-sex relationship | 60.3 | 94.7 | 24.1 | 92.4 | 71.8 |
| Opposite-sex relationship | | | | | |
| Married to or in relationship with member of opposite sex | <1.0 | 37.9 | 0.0 | 68.5 | 26.5 |

SOURCE: Herek et al., 2010.

**Figure 4.3**
**Percentage of Gay Men and Lesbians in Same-Sex Relationships Likely to Marry if Marriage Were Legal**



SOURCE: Herek et al., 2010.

RAND *MG1056-4.3*
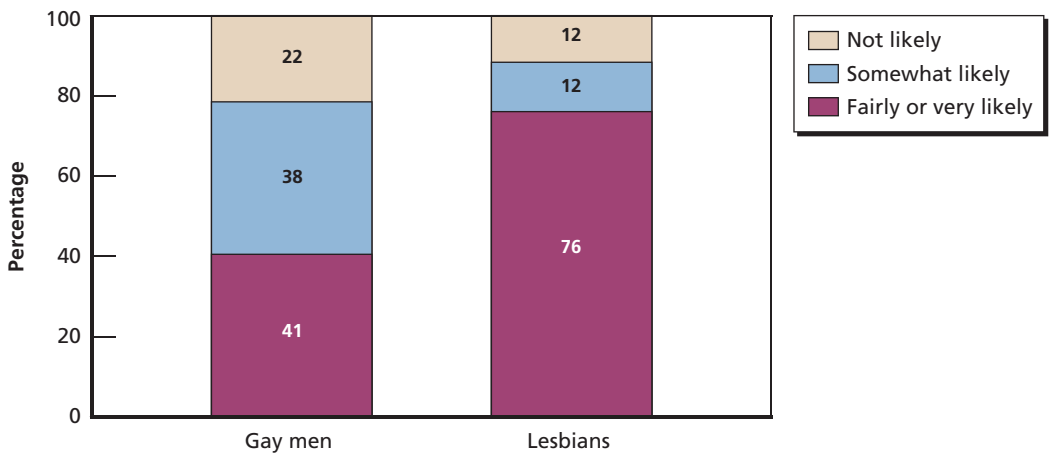
Three-quarters of lesbians and 41 percent of gay men indicated that they would be fairly or very likely to marry. Among those not in relationships, 38 percent of gay men and 46 percent of lesbians said they would like to marry some day.

## Summary

We have reviewed the literature addressing the prevalence of same-sex sexual behavior and gay, lesbian, and bisexual sexual identity published since RAND's 1993 report and analyzed recently available data from Add Health, a study of a nationally representative sample of young adults who were 24 to 32 years old when last surveyed in 2008 (Add Health, 2009). We also reviewed published studies of the development and disclosure of gay sexual orientation. We used findings from these research activities to address four research questions:

- What is the prevalence of same-sex behavior and gay, lesbian, or bisexual identity in the general U.S. population and in the military?
- Is gay, lesbian, or bisexual orientation distinct from heterosexuality and stable over early adulthood?
- To what extent do gay individuals disclose their orientation, to whom, and in what contexts?
- What are the likely consequences of sexual orientation disclosure (and restrictions on such disclosure) for psychosocial functioning, including effects on trust, development of relationships, and psychological well-being?

Results of our reviews and analyses can be summarized as follows.

### Prevalence

We estimate that self-identified gay or bisexual individuals are currently (or have recently been) serving in the military at statistically equivalent rates to their representation in the U.S. civilian population—3.7 percent. Among young men who have ever served in the military, 2.2 percent are gay or bisexual, compared with 3.2 percent of civilian men. In contrast, self-identified lesbian or bisexual women are more common among military personnel than in the civilian population of U.S. young adults—10.7 percent compared with 4.2 percent. Rates of same-sex experience are also similar among military men and the civilian population of men (6.5 percent) but higher among military women (27.5 versus 13.9 percent).

### Distinction Between Gay, Lesbian, and Bisexual Orientation and Heterosexuality and Development of Sexual Orientation During Young Adulthood

Not all individuals who self-identify as gay, lesbian, or bisexual engage in same-sex sexual behavior. Similarly, some individuals who self-identify as heterosexual also

engage in same-sex behavior. A substantial proportion of individuals who later self-identify as gay did not make their same-sex sexual debut or self-identify as gay, lesbian, or bisexual until after age 18, the age when individuals may first join the military.

### Disclosure of Sexual Orientation

When voluntary, disclosure is a selective and discretionary process—not all members of a gay person's social network typically know about his or her sexual orientation. Gay individuals are more likely to disclose their sexual orientation to persons with whom they have a close relationship, to friends and family members rather than to their work colleagues, and to friends rather than to neighbors. In the civilian workplace, about one in four gay persons is "out" to everyone, one in four is out to no one, and rest disclose their sexual orientation selectively.

Likelihood of disclosing gay sexual orientation is influenced by demographic characteristics, such as race, age, gender, and relationship status. The tendency to disclose is also affected by contextual factors, such as an organization's "diversity climate," industry and professional norms, and legal protections.

Because DADT is the current policy, the only information we have about disclosure in the military is from the survey we conducted for this study (see Chapter Nine). The results of this survey, together with the experience of foreign militaries (see Chapter Ten), are consistent with the expectation that disclosure in the military is at least as selective and discretionary as it is in the civilian sector.

### Consequences of Disclosing Sexual Orientation

Disclosure of sexual orientation may improve psychological well-being and health among the disclosers; conversely, keeping orientation a secret may create psychological distress. The literature documents the central role of disclosure more generally for building trust and developing relationships among individuals. In addition, disclosure may enhance the social support available to gay persons; social support is an important contributor to mental health and has been associated with reduced effect of combat stress on PTSD and other mental health problems among military veterans.

### Committed Relationships Among Gay Persons

About 21 percent of gay, lesbian, and bisexual individuals are living with or married to a same-sex partner, and a large percentage report that they would marry this partner if allowed to do so, especially among lesbians.

# Appendix

**Table 4.A.1**
**Estimates of Same-Sex Orientation (Behavior and Identity) from U.S. Datasets**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| **Behavior** | | | | | |
| 2000, 2005–2007 | Lieb et al. (2009) | Decennial Census Data (2000), American Community Survey (2005–2007) | Estimates the lifetime prevalence of men who have ever had sex (oral or anal) with men. Model A is based on same-sex prevalence rates found in the NHSLS (see Laumann et al., 1994). Model B is based on same-sex prevalence rates found in the NSFG (see Mosher, Chandra, and Jones, 2005). | N/A | Southern U.S.: Model A: 6.3% Model B: 5.7%<br><br>Total U.S.: Model A: 6.8% Model B: 6.0% |
| 2002 | Mosher, Chandra, and Jones (2005)[a] | National Survey of Family Growth (NSFG) Age groups: 1. 18–19 2. 20–24 3. 25–29 n = 12,571 | Females: "The next question asks about sexual experience you may have had with another female. Have you ever had any sexual experience of any kind with another female?'' Males: ''The next questions ask about sexual experience you may have had with another male. Have you ever done any of the following with another male? Put his penis in your mouth (oral sex)? Put your penis in his mouth (oral sex)? Put his penis in your rectum or butt (anal sex)? Put your penis in his rectum or butt (anal sex)?'' | 1. 13.8% 2. 14.2% 3. 14.1% | 1. 5.1% 2. 5.5% 3. 5.7% |
| 2001–2002 | Savin-Williams and Ream (2007)[a] | Add Health Mean age: 22.0 n = 15,170 | "Have you ever had sexual relations with [adolescent-named romantic partner]?" (Sexual relations defined as vaginal intercourse, oral sex, or anal sex) | Same sex: 0.5% Both: 2.5% | Same sex: 1.3% Both: 1.0% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| 1991–1997 | Ellis, Robb, and Burke (2005)[a] | U.S./Canadian college students Mean age: 22.3 Men: n=2,653 Women: n=5,253 | "Please indicate the number of individuals with which you have had sexual intercourse (or other sexual contact to the point of one or both climaxing)." | 1–10% of partners same sex: 1.24% 11–50% of partners same sex: 6.04% 51–99% of partners same sex: 0% 100% of partners same sex: 0.68% | 1–10% of partners same sex: 1.49% 11–50% of partners same sex: 9.28% 51–99% of partners same sex: 0.37% 100% of partners same sex: 1.42% |
| 1996 | Savin-Williams and Ream (2007)[a] | Add Health Mean age: 17.0 n=14,738 | "Have you ever had sexual relations with [adolescent-named romantic partner]?" (Sexual relations defined as vaginal intercourse, oral sex, or anal sex) | Same sex: 0.5% Both: 0.5% | Same sex: 0.7% Both: 0.6% |
| 1992, 1993, 1994, 1996 | Black et al. (2000) | General Social Survey (GSS), NHSLS Age: GSS: 18+ NHSLS: 18–59 Men: n=4,430 Women: n=5,361 | "Have your sex partners in the past five years been exclusively male, both male and female, or exclusively female?" | Exclusively female: 1.5% Both: 1.2% | Exclusively male: 2.6% Both: 1.6% |
| 1989–1992, 1993, 1994, 1996 | Black et al. (2000) | GSS, NHSLS Age: GSS: 18+ NHSLS: 18–59 Men: n=5,239 Women: n=6,826 | "Now thinking about the time since your 18th birthday (including the past 12 months) how many male/female partners have you had sex with?" | >1 same-sex partner: 1.8% | >1 same-sex partner: 3.1% |
| 1989–1992, 1993, 1994, 1996 | Black et al. (2000) | GSS, NHSLS Age: GSS: 18+ NHSLS: 18–59 Men: n=5,536 Women: n=7,125 | "Now thinking about the time since your 18th birthday (including the past 12 months) how many male/female partners have you had sex with?" | At least one same-sex partner: 3.6% | At least one same-sex partner: 4.7% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| 1988–1992, 1993, 1994, 1996 | Black et al. (2000) | GSS, NHSLS Age: GSS: 18+ NHSLS: 18–59 Men: n=5,519 Women: n=6,414 | "Have your sex partners in the last 12 months been exclusively male, both male and female, or exclusively female?" | Exclusively female: 0.5% Both: 1.4% | Exclusively male: 0.6% Both: 2.5% |
| 1994–1995 | Savin-Williams and Ream (2007)[a] | Add Health Mean age: 20.7 n=20,747 | "Have you ever had sexual relations with [adolescent-named romantic partner]?" (Sexual relations defined as vaginal intercourse, oral sex, or anal sex) | Same sex: 0.4% Both: 0.8% | Same sex: 0.4% Both: 0.7% |
| 1992 | Laumann et al. (1994) | NHSLS Age: 18–59 Men: n=1,511 Women: n=1,921 | "Have your sex partners in the past 12 months been . . . exclusively male, both male and female, or exclusively female?" | Has had same-sex partner in past 12 months: 1.3% | Has had same-sex partner in past 12 months: 2.7% |
| | | | "Have your sex partners in the past five years been . . . exclusively male, both male and female, or exclusively female?" | Has had same-sex partner in past 5 years: 2.2% | Has had same-sex partner in past 5 years: 4.1% |
| | | | "Now thinking about the time since your 18th birthday (again, including the recent past that you have already told us about), how many female/male partners have you ever had sex with?" | Has had same-sex partner since age 18: 4.1% | Has had same-sex partner since age 18: 4.9% |
| | | | "Now I would like to ask you some questions about sexual experience with (same sex: males/females) after you were 12 or 13—that is, after puberty. How old were you the first time you had sex with a (same sex: male/female)?" (Also uses questions about same-sex partners in past year/5 years/since age 18) | Has had at least one same-sex partner since puberty: 3.8% | Has had at least one same-sex partner since puberty: 7.1% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| | | | "Have you ever done anything else sexual with another (same sex: man/woman)?" (Includes performing oral sex, receiving oral sex, anything else sexual, and for men also includes anal intercourse as the inserting partner or anal intercourse with a man as receiving partner) | Has ever had a same-sex sexual experience: 4.3% | Has ever had a same-sex sexual experience: 9.1% |
| 1991 | Billy et al. (1993)[a,b] | National survey of men Age: 20–29 n=3,321 | "During the last 10 years, what would you say your sexual activity has been? 'Exclusively heterosexual,' 'mostly homosexual,' 'evenly heterosexual and homosexual,' 'mostly homosexual,' or 'exclusively homosexual.'" | N/A | Any same-sex activity: 2.3% Exclusively same-sex activity: 1.1% |
| 1989 | Rogers and Turner (1991)[a,b] | Probability sample of Dallas, Tex. Age: 21–60+ 1. 21–29 2. 30–39 3. 40–49 4. 50–59 n=660 | "Since January 1978, how many different men have you had sex with?" | N/A | Any same-sex contact in past 10 years: All ages: 8.1% 1. 7.4% 2. 11.4% 3. 4.8% 4. 5.1% Same-sex contact in the past year: 4.6% |
| 1988, 1989 | Rogers and Turner (1991)[b] | GSS Age: 21–60+ 1. 21–29 2. 30–39 3. 40–49 4. 50–59 n=2,449 | "Now thinking about the time since your 18th birthday (including the past 12 months), how many male partners have you had sex with?" | N/A | Any same-sex contact: All ages: 6.0% 1. 5.6% 2. 5.6% 3. 5.5% 4. 8.1% |
| 1988 | Taylor (1993)[b] | Harris Poll #20 Ages: 16–50 Men: n=739 Women: n=409 | "How many male/female partners have you had in the last month/year/five years?" | Past five years: 3.6% Past 12 months: 2.9% Past month: 2.1% | Past five years: 4.4% Past 12 months: 3.5% Past month: 1.8% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| 1986–1987 | Remafedi et al. (1991)[a] | Adolescent Health Database (Minnesota) Ages: 12–20 Men: n = 18,077 Women: n = 18,444 | "Have you ever had any kind of sexual experience with a male/female?" | 0.9% | 1.6% |
| 1970 | Fay et al. (1989)[b] | 1970 Kinsey-NORC Data Ages: 21–65+ n = 1,450 | "What was your age the first time you had a sexual experience with someone of the same sex, when either you or your partner came to a sexual climax?" | N/A | Same-sex contact after age 19: 6.7% Same-sex contact in past year: 1.6%–2.0% |
| 1970 | Fay et al. (1989)[b] | 1970 Kinsey-NORC Data Ages: 21–65+ 1. 21–29 2. 30–44 3. 45–64 n = 270 | "What was your age the first time you had a sexual experience with someone of the same sex, when either you or your partner came to a sexual climax?" "Was there a period of time when you had this experience fairly often, occasionally, or rarely, or did it happen only twice?" | N/A | 1. Any experience: 21.6% Rarely: 13.9% Occasionally: 4.9% Fairly often: 2.7% 2. Any experience: 22.3% Rarely: 13.8% Occasionally: 5.6% Fairly often: 3.0% 3. Any experience: 21.5% Rarely: 11.5% Occasionally: 6.4% Fairly often: 3.6% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| **Identity** | | | | | |
| 2003–2005 | Russell, Clarke, and Clary (2009) | California Preventing School Harassment Survey (PSH) Age: middle and high school students n = 2,560 | "What is your sexual orientation? 'Gay/ lesbian,' 'Straight/heterosexual,' 'Bisexual,' 'Queer,' 'Questioning' (and write-in option)." | Gay/lesbian: 11.3% Bisexual: 12.5% Queer: 1.8% Questioning: 4.5% Write-in: 2.9% Multiple: 0.6% No response: 4.7% | |
| 2002 | Mosher, Chandra, and Jones (2005)[a] | NSFG Age groups: 1. 18–19 2. 20–24 3. 25–29 n = 12,571 | "Do you think of yourself as heterosexual, homosexual, bisexual, or something else?" | Homosexual: 1. 0.9% 2. 0.8% 3. 1.5% Bisexual: 1. 7.4% 2. 3.5% 3. 2.8% Something else: 1. 5.7% 2. 4.4% 3. 2.8% | Homosexual: 1. 1.7% 2. 2.3% 3. 2.8% Bisexual: 1. 1.4% 2. 2.0% 3. 0.9% Something else: 1. 3.5% 2. 3.5% 3. 5.7% |
| 2001–2002 | Savin-Williams and Ream (2007)[a] | Add Health Mean age: 22.0 n = 15,170 | "Please choose the description that best fits how you think about yourself: '100% heterosexual (straight)'; 'mostly heterosexual (straight), but somewhat attracted to people of your own sex'; 'bisexual—that is, attracted to men and women equally'; 'mostly homosexual (gay), but somewhat attracted to people of the opposite sex'; '100% homosexual (gay)'; and 'not sexually attracted to either males or females.'" | Mostly heterosexual: 10.7% Bisexual: 2.6% Mostly homosexual: 0.7% Homosexual: 0.5% No attraction: 0.5% | Mostly heterosexual: 3.2% Bisexual: 0.6% Mostly homosexual: 0.6% Homosexual: 1.2% No attraction: 0.4% |

**Table 4.A.1—Continued**

| Data Collection Period | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| Unknown | Lippa (2000)[a] | California college students<br>Median age: 22<br>Men: n=287<br>Women: n=434 | "Which of the following do you use to describe yourself? (heterosexual, gay, lesbian, bisexual, or transsexual and/or transgender)" | Lesbian: 1%<br>Bisexual: 2% | Gay: 2%<br>Bisexual: 3% |
| 1991–1997 | Ellis, Robb, and Burke (2005)[a] | College students in the U.S. and Canada<br>Mean age: 22.3<br>Men: n=2,653<br>Women: n=5,253 | "How would you describe your sexual orientation? (heterosexual, bisexual, homosexual, or uncertain)" | Bisexual: 0.65%<br>Homosexual: 0.80%<br>Uncertain: 0.98% | Bisexual: 1.32%<br>Homosexual: 1.32%<br>Uncertain: 0.78% |
| 1988–1992, 1993, 1994, 1996 | Black et al. (2000) | NHSLS<br>Age: 18–59<br>Men: n=1,511<br>Women: n=1,921 | "Do you think of yourself as heterosexual, homosexual, bisexual, or something else?" | Lesbian: 0.6%<br>Bisexual: 0.5% | Gay: 1.8%<br>Bisexual: 0.7% |
| 1992 | Laumann et al. (1994) | NHSLS<br>Age: 18–59<br>Men: n=1,511<br>Women: n=1,921 | "Do you think of yourself as heterosexual, homosexual, bisexual, or something else?" | Homosexual or bisexual: 1.4% | Homosexual or bisexual: 1.4% |
| 1986–1987 | Remafedi et al. (1991)[a] | Adolescent Health Database (Minnesota)<br>Ages: 12–20<br>Men: n=18,077<br>Women: n=18,444 | "Which of the following best describes your feelings? 100% heterosexual (attracted to persons of the opposite sex), mostly heterosexual, bisexual, mostly homosexual, 100% homosexual (gay/lesbian; attracted to persons of the same sex), or not sure." | Homosexual: 0.2%<br>Bisexual: 0.9% | Homosexual: 0.7%<br>Bisexual: 0.8% |

NOTES: Studies are listed chronologically by data collection period; studies with the most recent data are listed first. NORC=National Opinion Research Center.

[a] Adapted from Savin-Williams (2009). Excludes international studies.

[b] Also used in RAND (1993).

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CHAPTER FIVE

# Unit Cohesion and Military Performance[1]

## Overview

In the years immediately after World War II, several scholars argued, based on information collected from German and American soldiers, that unit cohesion is essential to military effectiveness. Their conclusions gained considerable influence within the military. As we discuss below, our understanding of the concept of cohesion and its relationship to military performance has evolved in the years since, but the importance of the general concept of cohesion remains widely appreciated in the military.

There is little doubt that personal bonds can play an important role in combat motivation. Understanding the full meaning of the term *cohesion*, what influences it, how it relates to performance, and how changes in group composition affect it is central to understanding how the introduction of known gay men and lesbians into military units will impact military performance. In the debate preceding the 1993 enactment of legislation leading to the DADT policy, there was a difference of opinion among military social scientists as to the likely effects of lifting the ban. Some predicted that the presence of known gay personnel would significantly disrupt unit cohesion, while others disagreed. Accordingly, RAND's 1993 report included a review of the existing literature related to the nature of unit cohesion, its effects on military performance, and the ways in which the presence of known gay men and lesbians might affect cohesion and performance.

This chapter provides an update on relevant research on these topics and discusses new topics raised in the literature since 1993. As in 1993, we focus on the cohesion-performance link because it is so central to the policy debate—indeed, it is specifically cited in the DADT legislation. But military doctrine has long recognized that unit readiness and performance are the products of an array of inputs, policies, processes, and intangible factors in addition to unit cohesion, including leadership, training, mission, equipment, and logistical support, as well as weather, terrain, and enemy char-

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[1]  This chapter was prepared by Robert J. MacCoun and William M. Hix.

acteristics. In practical terms, this means that even large changes in unit cohesion

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acteristics.[2] And, as discussed in 1993, cohesion is similarly influenced by a variety of factors, including leadership, group size, and unit turnover (RAND, 1993). Perhaps the most significant addition in the current study is a review of the rapidly growing literature on how heterogeneity among group members affects cohesion and task performance. We also attempt to clarify the important role of interpersonal trust in one's colleagues, showing that it is produced by the nexus of professional role expectations and situational demands during threat and does not require established bonds of liking and friendship.

## Study Approach

As in 1993, we conducted an extensive literature search for new empirical studies on group cohesion (or cohesiveness) and its antecedents and consequences, locating a considerable body of new research, including both published and unpublished studies in the military, sports, social psychology, and industrial-organizational behavior literatures. Because our coverage is so broad, we limit our focus mostly to quantitative studies that measure cohesion, performance, and related variables at the individual or small-group level. Thus, our review does not include most qualitative studies, organization-level case studies, or essays that discussed DADT and its relationship to unit cohesion without direct measurement at the individual or small-group level.

Much of the relevant empirical evidence takes the form of correlational evidence, including factor analyses, multiple regression analyses, and meta-analyses. In brief, factor analysis is a technique for attempting to infer the underlying dimensions in questionnaire responses. Multiple regression analysis examines the pattern of associations between an outcome variable and a set of predictor variables; it attempts to statistically distinguish these predictors in situations where experimental control is not feasible. And meta-analysis is a technique for aggregating and synthesizing different empirical estimations of an association (e.g., between task cohesion and performance) across multiple studies; it can provide more reliable estimates than would be possible in any single study. In our discussion, we attempt to minimize the statistical details (which are available in the studies we cite), except where a technical discussion is necessary in order to critically review a study or to clarify its findings.

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[2]    DoD requires all services to regularly assess and report on the readiness of deployable units according to a highly specified readiness reporting system (DoDD 7730.65, June 2002). Unit cohesion is not among those readiness factors required to be assessed. See, for example, U.S. Army Regulation 220-1, 2010, Chapter 9, and U.S. Air Force Instruction 10-201, 2006, Chapter 3. In addition, the cohesion concept is not always central in the small-group and organizational behavior literatures. For example, Salas et al., 2007, display seven different theoretical models of team effectiveness dating back to 1978, and cohesion does not appear in any of the model diagrams, though many related concepts—leadership, communication, interdependence, heterogeneity—appear in most of them.

We begin by reviewing the measurement of cohesion and its effects on group performance and other relevant outcomes. We then turn to an examination of what is known about the effects of heterogeneity in member characteristics (sexual orientation, race, gender, etc.) on group cohesion and on group performance. Finally, we discuss the implications of these literatures for the debate about the repeal of the DADT policy.

## Findings: Understanding Unit Cohesion

### What Is Cohesion?

Early military writings discussed cohesion in monolithic terms as an important contributor to military performance and winning on the battlefield. Further academic inquiries into cohesion have distinguished various types of cohesion as a means to better analyze how interpersonal dynamics impact the performance of small organizations— e.g., teams and small military units, such as squads and platoons. Since the 1993 study, further evidence has accumulated to support distinguishing between task and social cohesion, and this distinction is now adopted in most academic articles on the topic (Beal et al., 2003; Carless and de Paola, 2000; Carron and Brawley, 2000; Casey- Campbell and Martens, 2009; Chang and Bordia, 2001; Chiocchio and Essiembre, 2009; Cota et al., 1995; Dion, 2000; Kier, 1998; Mullen and Copper, 1994).

Task cohesion and social cohesion are defined as follows:

- *Task cohesion* is the shared commitment among members to achieving a goal that requires the collective efforts of the group. A group with high task cohesion is composed of members who share a common goal and who are motivated to coordinate their efforts as a team to achieve that goal.
- *Social cohesion* is the extent to which group members like each other, prefer to spend their social time together, enjoy each other's company, and feel emotionally close to one another.

Dion argues that "the conceptual distinction between task cohesion and social cohesion that has emerged independently from several models and lines of research is an important milestone in cohesion research" (Dion, 2000).

If repealing DADT were to lead more gay service members to disclose their orientation to other unit members, the effects on task cohesion and the effects on social cohesion would not necessarily be the same. Therefore, throughout this chapter, we will elaborate on the interpretation, antecedents, and consequences of these two types of cohesion. But we also highlight several other terms that will be relevant to this discussion.

**Horizontal Cohesion Versus Vertical Cohesion.** Task cohesion and social cohesion are both forms of *horizontal cohesion*, which refers to cohesion at the primary

group level—generally the crew or squad, and perhaps the platoon—rather than at the level of larger units, such as the brigade, company, or service (Griffith, 1988; Siebold and Kelly, 1988). In contrast, *vertical cohesion* refers to downward or upward cohesion involving leaders and followers. In the remainder of this chapter, we will reserve the word *cohesion* for horizontal cohesion, and we will use the more familiar terms *leadership* and *followership* (conventionally used in organizational studies) when discussing vertical cohesion.

**Group Pride, Collective Identity.** Group members often describe feelings of pride and identification with their group as an entity, and this can occur "even though they are unacquainted with many, if not most, of the other group members" (Swann et al., 2009). Further research is needed to determine whether this sense of group pride should be subsumed into either social cohesion or task cohesion, but for present purposes we will assume it is a distinct factor in its own right (Dion, 2000; Griffith, 2009; Hogg and Terry, 2000; Manning, 1994; Mullen and Copper, 1994; Shamir et al., 2000).

**Morale and Esprit de Corps.** Unit cohesion can be considered a contributor to morale. Manning reviews various definitions of the terms *morale* and *esprit de corps* and suggests that morale is best thought of as "the enthusiasm and persistence with which a member of a group engages in the prescribed activities of the group" (Manning, 1994). He suggests that esprit de corps is the counterpart to cohesion at the level of the organization rather than at the level of the primary unit and that cohesion and esprit de corps are each contributors to one's morale.

**Collective Efficacy or Group Potency.** Cohesion should be distinguished from collective efficacy or group potency. Bandura (2000) argued that a sense of collective efficacy ("[p]eople's shared beliefs in their collective power to produce desired results," p. 75) is an emergent property of groups that explains why some teams fail to live up to the total potential of their members. In a study of 648 Air Force officers, a measure of perceived group potency was superior to group cohesion as a better predictor of team performance (Jordan, Field, and Armenakis, 2002). Shamir et al. (2000) provide similar results for the Israel Defense Forces (IDF).

**Trust.** Various lines of evidence suggest that the degree of trust between group members is distinct from either task cohesion (shared commitment to the mission) or social cohesion (liking for one's colleagues). For example, Griffith (1988) showed that a "Trust and Caring" factor (with such items as "People in this company feel very close to each other" and "In this company, people really look out for each other") was distinct from an "Instrumental and Affective Support" factor (e.g., "Most people in my squad would lend me money in an emergency"), as well as from a "Friendship" factor (e.g., "I spend my after-duty hours with people in this company"). Manning (1994) cites evidence that "soldiers can and do distinguish between likability and military dependability, choosing different colleagues with whom to perform a risky mission and to go on leave." Dirks (1999) defines interpersonal trust as "a belief about the dependability of the partner and the extent to which the partner cares about the group's inter-

ests," noting that it is distinct from such concepts as cohesion, friendship, or familiarity (p. 446). Mayer, Davis, and Schoorman (1995) argue that in organizational settings, trust has three components: benevolence, ability, and integrity; for additional evidence, see Lee et al. (2010).[3]

### The Cohesion-Performance Relationship

In the 1993 study, we argued that cohesion was reliably associated with performance, but with two important caveats. First, the association was at least partly (and sometimes mostly) due to the effects of performance on cohesion, rather than the reverse. In other words, while cohesion may make groups perform better, groups that perform well tend to become more cohesive, and groups that have experienced failure tend to become less cohesive. Second, we found that among the components of cohesion, task cohesion was the most important determinant of group performance.

These conclusions were based in part on a prepublication draft of a meta-analysis by Brian Mullen and Carolyn Copper (subsequently published as Mullen and Copper, 1994). Since Mullen and Copper, there have been four newer meta-analyses of various subsets of the cohesion literature: Gully, Devine, and Whitney (1995), with 46 studies; Oliver et al. (1999), 36 studies; Beal et al. (2003), 64 studies; and Chiocchio and Essiembre (2009), 29 studies. All agree with Mullen and Copper that there is a reliable cohesion-performance association, though they show that the magnitude of the association varies depending on the nature of the task and the way the variables are measured. For example, Gully et al. (1995) and Oliver et al. (1999) each show that the association is significantly stronger when performance is measured at the group level rather than at the individual level. Beal et al. (2003) and Chiocchio and Essiembre (2009) showed that the cohesion-performance association was stronger when group tasks required a high degree of coordination among members.

The Oliver et al. (1999) meta-analysis is distinctive in using only military studies; the other meta-analyses have few military studies (all have fewer than Mullen and Copper, and Chiocchio and Essiembre included none). Most of these studies involve noncombat situations, though many examine unit performance in combat simulations in training facilities, such as the National Training Center (NTC), and these approximate actual combat in many ways.[4] Mullen and Copper (1994) found a weaker cohesion-performance association in military studies than in studies of sports

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[3]  Some authors distinguish between "cognitive trust" (based on perceived competence and reliability) and "affective trust" (based on reciprocal bonds of caring and concern); see McAllister, 1995, and Webber, 2008. The questionnaire items that these authors use to measure affective trust make no reference to interpersonal liking, shared attitudes, or the pursuit of common goals, so affective trust cannot be equated with either social or task cohesion.

[4]  Wong, 1992, provides more detail:

> The task of engaging highly competent enemy forces during day and night missions in a maneuver area the size of Rhode Island, in addition to the harsh desert environment, provides the best external validity possible short

teams, and some military studies not included in their analysis have found either no effect (Wong, 1992) or even negative effects (Peterson, 2007) of cohesion on simulated battle performance. Later, we will discuss the dynamics of cohesion under actual mortal threat.

**Effects of Different Types of Cohesion.** Most of the studies in the Mullen and Copper (1994) meta-analysis predated the distinction of task and social cohesion. However, they had two different raters examine each study and code the degree to which each study appeared to be assessing task cohesion ("commitment to the task"), social cohesion ("interpersonal attraction"), or group pride. They found that task cohesion was the strongest predictor of performance, followed by group pride. They also showed that for the correlational studies, social cohesion and group pride had no reliable effects on performance once task cohesion was statistically controlled; the converse was not true.[5] Thus they argued that commitment to the task—what we and other authors refer to as task cohesion—"is the primary component of cohesiveness in the cohesiveness-performance effect" (p. 221).[6] Beal et al. (2003) also found that the simple cohesion-performance correlation was larger for task cohesion ("commitment to task") than for social cohesion ("interpersonal attraction")—i.e., 0.43 compared to 0.27 for Mullen and Copper, and 0.25 compared to 0.17 for Beal et al. But Mullen and Copper found that the social cohesion effect disappeared once they statistically controlled for the task cohesion effect. Because of the way they coded their variables,[7] Beal et al. (2003) could not control for task cohesion in analyzing the effect of social cohesion.

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of actual combat. The dirt, dust, tear gas, smoke, simulated chemical agents, and relentless sun all contribute to the realism of an ideal testing ground for cohesion and its effects on performance. (p. 1217)

[5]   None of the types of cohesion had a significant partial correlation (a significant association after controlling for the other types) for the experimental studies. Note that these experiments were designed to manipulate high versus low cohesion, but most of them were not designed to manipulate task cohesion versus social cohesion versus group pride.

[6]   Carron, Bray, and Eys, 2002, were sufficiently confident that task cohesion was the more important predictor that they did not even use the two social cohesion scales from Carron's Group Environment Questionnaire in their study of success in sports teams.

[7]   Beal et al., 2003, did not undertake a similar statistical control procedure, because "if an effect size estimate included items assessing more than one component simultaneously, we did not include it in the analysis" (p. 992). Although Beal et al. asserted that the three components "each bear significant independent relations to performance across many criterion categories," their coding cannot produce independent estimates of the effect of each component of cohesion, because even if a questionnaire item clearly refers to only one component (e.g., the desire to socialize with other members as a measure of social cohesion), it does not follow that responses to this measure are therefore independent of other components of cohesion. For example, it is likely that people may be more likely to want to socialize with a colleague, all things being equal, when that colleague shares their commitment to the group's mission and goals. Beal et al. criticized the Mullen and Copper coding using a hypothetical example in which three of four items on a cohesion questionnaire measure task cohesion, and yet the cohesion-performance link is largely driven by the fourth item measuring social cohesion. But their own results show this hypothetical is improbable, and it cannot explain why Mullen and Copper found that the percentage of task cohesion items predicted the strength of the cohesion-performance association *across* studies, unless, implausibly,

One important reason for distinguishing between types of cohesion is that social cohesion has sometimes been linked to bad team performance—at least from the perspective of the goals of the larger organization (Janis, 1982; Stogdill, 1972). Recent evidence shows that it is social cohesion rather than task cohesion (or together with low task cohesion) that is responsible for any negative effects (Bernthal and Insko, 1993; Griffith, 2002; Hoigaard, Safvenbom, and Tonnessen, 2006; Peterson, 2007; Rovio et al., 2009).

**Effects of Performance on Cohesion.** Mullen and Copper (1994) clearly recognized that by itself, the cohesion-performance association does not indicate the extent to which cohesion actually *causes* good or bad performance. As one way of addressing this question, they examined seven different cross-lagged panel analyses in which cohesion and performance were each assessed at two different points in time. While cross-lagged panel analyses cannot prove causation, the patterns they reported in at least some of these studies suggest that performance had a stronger influence on cohesiveness than the reverse. Unfortunately, subsequent meta-analyses have not updated this analysis.[8]

**Effects of Cohesion on Coping and Other Outcomes.** Cohesion might impact many outcomes other than group performance. The Oliver et al. (1999) meta-analysis of military studies found significant positive correlations of cohesion with job satisfaction, retention, well-being, and indiscipline (e.g., rates of absence without leave).[9] Perhaps the most compelling link is between cohesion and psychological coping (Ahronson and Cameron, 2007; Griffith, 2002; Shay, 2002). Using an adapted version of the Group Environment Questionnaire in a Canadian military sample, Ahronson and Cameron (2007) found that high individual task and social cohesion ratings were associated with lower levels of psychological distress. Griffith (1989, 2002) argues that cohesion has a

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interpersonal attraction items were somehow more influential in studies where they were rare than in studies where they were common. For a related perspective, see Kozlowski and Ilgen, 2006.

[8]  When studies had data from multiple time periods, Beal et al., 2003, and Chiocchio and Essiembre, 2009, only coded the Time 2 measures of both variables. For example, Chiocchio and Essiembre code Bakeman and Helmreich's 1975 study as a 0.73 association between social cohesion and performance—the correlation between both constructs measured at Time 2. But in fact, Bakeman and Helmreich found that the correlation between Time 1 cohesion and Time 2 performance was only 0.13; thus the 0.73 estimate is clearly more likely to represent the effect of performance on cohesion than the reverse.

[9]  Another possible outcome is viability. Balkundi and Harrison, 2006, claim that their meta-analysis shows that expressive or emotional ties among team members do a better job than instrumental, task-related ties as predictors of a team's viability, defined as its "potential to retain its members." This seems plausible for many real-world groups, especially if they are voluntary and if people can readily find alternative groups with the same goals and more likeable members. But these authors do not provide a credible test, because "[w]hen group member satisfaction, team climate or atmosphere, team commitment, or indicators of group cohesion were assessed as team outcomes . . . we regarded them as measures of team viability" (p. 57). These are clearly antecedents of viability rather than indicators of it, and in some studies they overlap in content with the affective tie measure, all but guaranteeing a correlation.

buffering effect because it operates as an indicator of social support—one of the most robust predictors of coping in the behavioral health literature (Ozer et al., 2003).

Interestingly, both Griffith (2002) and Ahronson and Cameron (2007) found that the cohesion-coping link operates mostly at the individual level rather than at the group level. This may indicate that perceptions of social support may not be universally shared by group members, which in turn has potential policy implications for the DADT debate. As we noted in 1993, any effect of a known gay man or lesbian on unit cohesion is likely to take the form of some degree of ostracism of the gay service member (rather than a broader breakdown of the unit). This could put that individual at significant psychological risk in an already high-stress situation (Williams, 2007), but it would not be expected to create similar risk for those in the heterosexual majority.

On the other hand, we know that concealing one's sexual identity, as the DADT policy requires, takes an enormous psychological toll of its own (Herek and Garnets, 2007; McKenna and Bargh, 1998; Petrie, Booth, and Pennebaker, 1998). This issue is discussed in further detail in Chapter Seven.

**The Role of Cohesion in Combat and Crisis.** Cohesion has long been a central tenet in military writings. Our understanding of cohesion has matured over time as it has been the subject of critical evaluation. In the years immediately after World War II, Marshall (1947), Shils and Janowitz (1948), and Stouffer et al. (1949) argued that social cohesion within the soldier's primary group is essential to military effectiveness. Shils and Janowitz offered the following (1948, p. 281):

> It appears that a soldier's ability to resist is a function of the capacity of his immediate primary group (his squad or section) to avoid social disintegration. When the individual's immediate group, and its supporting formations, met his basic organic needs, offered him affection and esteem from both officers and comrades, supplied him with a sense of power and adequately regulated his relations with authority, the element of self-concern in battle, which would lead to disruption of the effective functioning of his primary group, was minimized.

Nevertheless, it is not clear that social cohesion was the driving force behind combat motivation, even during World War II. Stouffer et al. (1949) reported that when soldiers were asked, "What was most important to you in making you want to keep going and do as well as you could?" only 14 percent cited "solidarity with the group"; the most popular response (cited by 39 percent) was "ending the task."

Subsequently, a number of military social scientists have questioned the understanding of unit cohesion and the primacy of social cohesion that developed from these early studies. Segal and Kestnbaum (2002) argued that "a romantic mythology has grown up around these studies, leading people to suspend critical judgment regarding their methods, incorrectly recall their findings, and overlook subsequent research that has suggested limits on their generalizability" (p. 445). Similarly, Garvey and DiIulio (1993) contended that "Post–World War I and II studies focusing mainly on the

British, American and German experiences have been read as reinforcing the current conventional wisdom about conventional warfare—namely, that combat performance depends crucially on unit cohesion. These studies, however, simply don't prove what their exponents claim they do" (also see Peterson, 2008).[10]

The post-Vietnam–era military scholars began articulating a view of cohesion that emphasizes the importance of task cohesion. For example, an influential definition of military cohesion was offered by Wm. Darryl Henderson in his 1985 book, *Cohesion: The Human Element in Combat*. His vision is clearly more in accord with task cohesion than social cohesion:[11]

> Cohesion exists in a unit when the day-to-day goals of the individual soldier, of the small group with which he identifies, and of unit leaders, are congruent—with each giving his primary loyalty to the group so that it trains and fights as a unit with all members willing to risk death and achieve a common objective. (Henderson, 1985, p. 4)

Other scholars have emphasized the importance of trust and teamwork based on common experiences, including training and a focus on performing common tasks. Siebold (2007) describes the "standard model" of cohesion as involving peer (horizontal), leader (vertical), organizational, and institutional bonding, each having an affective component and an instrumental component. He focuses on the role of trust and teamwork, as well as self-interest, in building cohesion:

> The essence of strong primary group cohesion, which I believe to be generally agreed on, is trust among group members (e.g., to watch each other's back) together with the capacity for teamwork (e.g., pulling together to get the task or job done). [p. 288] . . . Combat group members try to develop strong bonding as a collective good, at least in part, because it is in their own self-interest for survival to do so. [p. 289] . . . While it is true that a few researchers have focused on intimate personal bonds and informal rituals, I submit that the majority of researchers . . . have used some form or part of the standard model in their approach, especially during the past twenty years, which does not dwell on intimate relations or masculine rituals but rather emphasizes interpersonal trust and teamwork built through many experiences including arduous training and drills. [p. 291] . . . [M]ere friendship or comradeship is not the essence of cohesion. [p. 292]

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[10]  These researchers also questioned the research methods used because they relied heavily on soldier interviews, with little evidence to establish whether respondents' beliefs captured the complex factors affecting performance in typical units. The interview results are often open to alternative interpretations (Garvey and DiIulio, 1993; MacCoun, Kier, and Belkin, 2006; Segal and Kestnbaum, 2002).

[11]  In his 1993 prepared statement to the Senate Armed Services Committee (SASC), Henderson modified his definition, replacing the phrase "day-to-day goals" with "primary values and day-to-day goals."

In their interviews with members of the Army, Navy, and Marines regarding the integration of women in units, Harrell and Miller (1997) argue that their respondents seemed to recognize the distinction between task and social cohesion:

> Only when both social and task cohesion were low did people rate overall cohesion as low. The negative effects of too much social bonding were mentioned as well. . . . even those who longed for the "good old days" of high social cohesion admitted that some now-abandoned types of social bonding between men were actually unprofessional and detracted from the work environment. [pp. 58–59] . . . That task cohesion was strong and took precedence over social cohesion was expressed in a number of different ways: . . . "We all have our own thing going but when we need to get together for a goal the ship works together well." "When an actual casualty occurs everyone joins together for the common good." . . . "Although we don't get along we are all ready for a fight." [p. 60]

Recent military scholarship has focused a great deal on the task-related aspects of group functioning. For example, Salas, Burke, and Cannon-Bowers (2000) describe eight core principles of effective teamwork: adaptability, shared situational awareness, performance monitoring and feedback, leadership, interpersonal relations, coordination, communication, and decisionmaking. Only one (interpersonal relations) appears to involve social cohesion, and their discussion of it involves communication and conflict resolution, rather than the need for members to like one another.

***Caring, Concern, and Trust in Military Units.*** Task cohesion clearly plays a central role in the work of Siebold, Griffith, Manning, and other military scholars, but these scholars emphasize that cohesion also has a strong interpersonal component. In the Army War College study *Why They Fight: Combat Motivation in the Iraq War* (2003), Wong et al. offered a new variation on the Shils and Janowitz thesis. Wong et al. included field interviews with Iraqi Regular Army prisoners of war (n = 30) and with U.S. combat troops (n = 40) during Operation Iraqi Freedom in the spring of 2003. The authors argue that these interviews call for a revisiting of the World War II perspective, which rejected the role of ideology in soldiers' motivation but instead identified the importance of strong emotional bonds among soldiers. But this type of interview methodology precludes any inferences about the causal impact of these emotional bonds on either individual combat motivation or unit performance (MacCoun, Kier, and Belkin, 2006). And, as noted earlier, Wong's 1992 study did not find that his measure of cohesion in the unit predicted performance in combat simulations at NTC.

Still there is clearly a strong *interpersonal* dimension to the combat experience, one that is not really captured by the notion of task cohesion. But neither is it captured by the notion of social cohesion. Rather, it is in part an adaptation to powerful situational forces and in part a reflection of the nature of professional trust. In our 1993 report, we offered an extended discussion of the role that mortal threat plays in the development of cohesion, suggesting that mutual threat, combined with the possibil-

ity of eliminating the danger, could produce increased task cohesion and an increased need for affiliation (enhancing social cohesion), as long as members were not in competition with each other for safety or scarce resources. But that analysis suggested that the heightened social cohesion is to some extent a side effect (or consequence) of combat conditions, not necessarily a driver of combat behavior.

Interestingly, this line of argument was long ago anticipated by another classic work of the World War II experience, Grinker and Spiegel's *Men Under Stress* (1945):

> In the theater of operations . . . the presence of the enemy, and his capacity to injure and kill, give the dominant emotional tone to the combat outfit. . . . The impersonal threat of injury from the enemy, affecting all alike, produces a high degree of cohesion so that personal attachments throughout the unit become intensified. Friendships are easily made by those who might never have been compatible at home, and are cemented under fire. Out of the mutually shared hardships and dangers are born an altruism and generosity that transcend ordinary individual selfish interests. So sweeping is this trend that the usual prejudices and divergences of background and outlook, which produce social distinction and dissension in civil life, have little meaning to the group in combat. Religious, racial, class, schooling or sectional differences lose their power to divide the men. What effect they have is rather to lend spice to a relationship which is now based principally on the need for mutual aid in the presence of enemy action. Such powerful forces as antisemitism, anticatholicism or differences between Northerners and Southerners are not likely to disturb interpersonal relationships in a combat crew. . . . Their association is not limited to working hours but includes their social activities. . . . The most vital relationship is not the purely social. It is the feeling that the men have for each other as members of combat teams and toward the leaders of those teams, that constitutes the essence of their relationship. (pp. 21–22)

Threat can also amplify task cohesion and group pride. When forced to confront the profound existential terror of their mortality, people often cope by embracing cultural worldviews that embed the self in something larger and more enduring—e.g., one's nation, cultural traditions, or religion (Greenberg, Solomon, and Pyszczynski, 1997). Van den Berg (2009) observed this kind of tendency in a comparison of Dutch and other North Atlantic Treaty Organization (NATO) military staff deployed in their home nations or in Afghanistan. He found that a higher threat of death "was associated with 1) higher acceptance of the risk of dying, 2) higher self-assessment of operational readiness, 3) more compliance with the mission and more internal motivation for the mission at hand, and 4) stronger identification with the Royal Netherlands Army compared to soldiers who had experienced low or medium threat" (p. 112). But threat was associated with a reduced willingness for international collaboration with Turkish troops and a more negative view of the local population (pp. 113–114).

**Social Compacts and "Swift Trust."** Surely emotional bonds play a role in combat motivation and adjustment to severe stressors. But the nature of the bonds matters;

the key is not liking or affection, but rather (as we suggested earlier in the chapter) the distinction between social cohesion and *trust*.

In the essay "Vietnam: Why Men Fight" (1971), Charles Moskos argued that combat motivation arose from a combination of soldier self-interest and shared values forged in the combat situation:

> My own research among American soldiers in Vietnam has led me to question the dominant influence of the primary group [i.e., the members of one's immediate unit] in combat motivation on at least two counts. First, the self-serving aspects of primary relations in combat units must be more fully appreciated. . . . to carry Hobbes a step further, primary group processes in combat are a kind of rudimentary social contract, a contract that is entered into because of its advantages to oneself. . . . I would argue that combat motivation arises out of the linkages between individual self-concern and the shared beliefs of soldiers as these are shaped by the immediate combat situation. (pp. 19–20)

Elsewhere, Moskos, as cited in Marlowe (1979), referred to this social compact as "instrumental and self-serving." But a less cynical framing is provided by the growing literature on the importance of "swift trust" in high-stakes settings (Kramer, 1999; Majchrzak, Jarvenpaa, and Hollingshead, 2007; Meyerson, Weick, and Kramer, 1996). Trust that is based on strong interpersonal bonds can take a long time to develop (McAllister, 1995; Webber, 2008). But Meyerson, Weick, and Kramer (1996) note that professional teams often "have a finite life span, form around a shared and relatively clear goal or purpose, and their success depends on a tight and coordinated coupling of activity." Majchrzak, Jarvenpaa, and Hollingshead (2007) examined various case studies in the development of swift trust among complete strangers in response to natural disasters.

Kramer (1999) reviewed evidence for several different ways in which this kind of swift trust develops, including category-based trust (based on knowledge of the other person's membership in trusted groups), role-based trust (e.g., using high rank as a measure of one's past experience and performance), and rule-based trust (based on "shared understandings regarding the system of rules regarding appropriate behavior," p. 579). These mechanisms may work through either task cohesion or social cohesion, depending on the setting. Thus, when people rely on someone's professional certification (e.g., as a surgeon, engineer, or musician), there may be a rapidly established task cohesion. If, however, one were to rely on credentials from a fraternal organization, the swift trust might rapidly create social cohesion. Similarly, rule-based trust might promote task cohesion in professional settings but social cohesion in social organizations. Of course, these routes are not mutually exclusive; professional conferences organize social outings, and fraternal groups organize charitable works.

In their study of 130 IDF combat soldiers, Ben-Shalom, Lehrer, and Ben-Ari (2005) employed this notion of swift trust to argue for a reconceptualization of mili-

tary cohesion. They argue that the IDF operations during the Al Aqsa Intifada challenge the centrality of cohesion in combat operations:

> During the conflict, many of the regular frameworks of the military were broken up and new ones established. Such ad hoc frameworks—that seemed to work highly effectively—seem to contradict the image of "textbook units" marked by clear boundaries, continuity of membership over time, and strong internal cohesion. . . . these "instant units" were often composed of constantly changing constituent elements that came together for a mission and then dispersed upon its completion. (p. 64)

This concept of swift trust may also explain Peterson's observation of the "paradox that extremely high levels of performance are maintained despite incredibly high personnel turnover for the crew of an aircraft carrier" (Peterson, 2008). And the dynamics of swift trust may help to explain the ineffectiveness of "unit manning" (or lifecycle) policies designed to build and sustain cohesion by keeping units together as long as possible (Griffith, 1989; Peterson, 2008; RAND, 1993, Chapter 10; Smith and Hagman, 2006; Vaitkus and Griffith, 1990; Winkler, 2008). Proponents of these policies may have underestimated the ability of professionals to effectively work together without a prolonged personal history. The power of swift trust becomes less surprising when we understand that people are willing to sacrifice at great personal cost for the larger society and not just for their immediate primary group (Swann et al., 2009; Wong et al., 2003).

## Key Findings: Effects of Team Heterogeneity on Cohesion and Performance

Will the presence of known gay men and lesbians disrupt unit cohesion? In the 1993 report, this discussion was speculative, drawing heavily on social psychological theory and laboratory experiments. Since then, the literature on the effects of differences among individuals on team performance (and to a lesser extent, cohesion) has grown enormously.

### Effects of Heterogeneity on Cohesion in Military Units

The recent literature on the effects of nondiscrimination policies in foreign military services is described in Chapter Ten. Here, we limit our focus to direct quantitative estimates of the relationship between a group's performance and the heterogeneity in personal attributes of its members.

To our knowledge, only two studies provide direct empirical tests of a possible association between unit cohesion and the presence of known gay men and lesbians in a military unit. Moradi and Miller (2010) conducted a multivariate analysis of data

from a Zogby International survey of 545 U.S. service members who had served in either Iraq or Afghanistan. They found no significant association between a survey item measuring cohesion and an item asking respondents whether they knew of any gay service members in their unit.

Kaplan and Rosenmann (2010) took a similar approach in a 2000 survey of 417 male soldiers in the IDF, with two key differences. First, unlike Moradi and Miller, Kaplan and Rosenmann were studying a military in which the ban on lesbian and gay service had been eliminated for seven years. Second, rather than having to rely on a single cohesion item, they were able to examine responses to a very detailed questionnaire on affective feelings in the unit, including "enjoying doing things together; longing to be with group; admiration; intimacy; envy; chemistry and shared language; competitiveness; love; wish to disclose personal issues; wish for validation; warmth and physical closeness; brotherhood; [and] sense of social belonging." They found that only 18 percent reported knowing a gay soldier; they cite other IDF evidence that about 83 percent of gay soldiers come out to friends, but only 35 percent come out to members of their units. Members of combat and noncombat units were equally likely to report knowing a gay member, but in neither type of unit was there any relationship between knowing a gay member and ratings on the social cohesion index.

Several recent studies have examined the effects of race, ethnicity, and gender on military cohesion. Siebold and Lindsay (2000) noted that "a central tenet of current personnel policy is that the Army can recruit 17- to 21-year-old men [sic] . . . from different demographic backgrounds, train them, and assign them to groups with leaders, who also have different demographic backgrounds, to form cohesive, motivated, and competent combat units." They report on an Army Research Institute study of 60 light infantry platoons (955 soldiers) at the U.S. Army Joint Readiness Training Center and NTC. Soldiers completed a detailed questionnaire assessing squad cohesion and related attitudes. The average self-reported cohesion rating was around 3.4 on a 5-point scale (5=high cohesion), with no differences in self-reported cohesion ratings for white, black, Hispanic, and Asian soldiers. The researchers noted that "[t]his pattern of little differentiation based on racial or ethnic (demographic) group membership is typical. The unit's internal conditions, including leadership quality, appear to be the dominant influences on soldier cohesion and motivation." Unit diversity was operationalized as the percentage of whites compared to the percentage of nonwhites in a unit, which ranged from 55 percent whites to 88 percent whites. This index was unrelated to cohesion scores ($r = 0.06$). When they examined ratings of actual mission performance, they found no relationship with racial heterogeneity ($r = 0.00$).

Two studies have examined the association between unit cohesion ratings and gender differences in military units. Harrell and Miller (1997) examined self-reported cohesion scores for officers and enlisted members of units across the services. They did not find differences related to the gender mix in units, but they report that some respondents attributed perceived cohesion problems to gender-related issues—in par-

ticular, perceived differential standards and treatment for men and women, segregated housing, and couples who were seen as placing their relationship ahead of the good of the unit (pp. 65–66).[12] Nevertheless, gender was rarely described as a primary cause of cohesion problems. In the Army and the Navy, the majority of respondents responded "it doesn't matter" when asked whether "the proportion of women to men at work" mattered to them. About half of the Marine officers preferred male colleagues, though less than a quarter of those in grades E-1 to E-9 felt this way. Rosen et al. (1999) also found evidence linking gender integration to lower cohesion in surveys of troops at U.S. Army posts (in 1988 and 1995) or deployed in the Persian Gulf (1991), Somalia (1993), and Haiti (1995). But the results are ambiguous because cohesion was measured at the company level (rather than at the level of the primary unit) and because the women in their study were younger and more likely to belong to racial or ethnic minorities than the men.

These studies are by no means conclusive, but they suggest that if there are effects of either racial or gender composition of unit members on military cohesion, they might be weak and fleeting. Gender integration appears to have more noticeable effects; it may pose somewhat different challenges because some male soldiers perceive, rightly or wrongly, that women differ in fighting ability or are treated differently by the organization (see Chapter Eight on focus groups).

**Meta-Analytic Evidence.** There is a much larger body of literature on the effects of group heterogeneity in nonmilitary groups than was available in 1993. Prior to the late 1990s, most scholars believed that team heterogeneity—differences in personal characteristics across members—was likely to be quite consequential for performance; however, they did not agree on whether the consequences would be positive or negative. Those who approached the question from a more cognitive perspective anticipated the ways in which heterogeneity can enhance team creativity, problem-solving, and decisionmaking because heterogeneity broadens the knowledge base, skill sets, and perspectives of the team as a whole (Hong and Page, 2004; Nemeth, 1986; Nemeth and Kwan, 1987). Those who approached the question from a more social perspective—e.g., similarity-attraction theory, social categorization theory, and social identity theory—expected heterogeneity to create friction and conflict and proposed various strategies to address these issues (e.g., minimizing group identities, emphasizing superordinate identities, or cross-cutting group memberships; Byrne, 1971; Tajfel, 1981).

As evidence from both experimentally constructed and real-world teams accumulated, authors writing traditional narrative literature reviews have struggled to reconcile the many conflicting findings (Jackson, Joshi, and Erhardt, 2003; King, Hebl, and Beal, 2009; Mathieu et al., 2008; Shore et al., 2009; Williams and O'Reilly, 1998).

[12] The concern over double standards is also seen in a study finding some negative effects of civilian contractors on military unit cohesion (Kelty, 2009). Many of these issues were echoed in our focus groups (see Chapter Eight).

There are several challenges to doing so. All of these analyses include many field studies in which the selection processes that produce teams in real settings may have resulted in a serious confounding of member characteristics. For example, women and racial minorities in some of the organizations had less seniority and experience than their male or white counterparts.

There are now several major meta-analyses of various subsets of this literature. These meta-analyses solve some of the aforementioned problems quite well: By accumulating data across studies they largely solve the statistical power problem, and through careful coding of study features they are able to clearly distinguish types of heterogeneity. They fare far less well in addressing the problem of causality. As we describe below, although some studies have identified negative associations between heterogeneous teams and performance, three meta-analyses show no significant net effect, and one finds effects that are quite small in magnitude and limited to certain settings.

There is surprisingly little overlap among the four major meta-analyses of this literature (Bowers, Pharmer, and Salas, 2000; Horwitz and Horwitz, 2007; Joshi and Roh, 2009; Webber and Donahue, 2001). There is no empirical study that was included in every meta-analysis; indeed, of the 100 different source studies that they cover, 84 appeared in only one meta-analysis, and only 16 studies appeared in more than one meta-analysis. For our purposes, this lack of redundancy is a good thing because the results of these meta-analyses converge to a considerable extent, and this increases the confidence with which we can draw conclusions.

Bowers, Pharmer, and Salas (2000) examined 57 estimates comparing teams that were homogenous or heterogeneous in terms of ability, attitude, gender, or personality. They found that the overall effect was statistically insignificant but in the direction of slightly better performance by heterogeneous groups. Webber and Donahue (2001) examined 45 estimates, finding that neither highly job-related diversity (e.g., ability) nor job-unrelated diversity (e.g., demographics) predicted team performance, with average correlations near zero. They also found no relationship between either type of diversity and measures of team cohesion.

Horwitz and Horwitz (2007) examined 78 estimates, finding small but reliable positive effects of task-related heterogeneity on both the quality and quantity of team performance. Heterogeneity due to demographic characteristics was unrelated to both types of outcomes. Horwitz and Horwitz found that the impact of demographic heterogeneity was tested for five different factors that could conceivably increase the impact of demographic heterogeneity, including high versus medium task complexity, work versus project teams, manager-rated versus self-rated outcomes, subjective versus objective outcomes, and organizational versus laboratory settings, but none of these factors was found to increase the impact of heterogeneity. None of these comparisons revealed any significant moderator effects.

The Joshi and Roh (2009) meta-analysis is the most comprehensive one, involving 117 different estimates. They noted that while over half the estimates were non-

significant, among the others "20 percent of the effects reported were significantly positive, and 20 percent were significantly negative." Across studies, performance was significantly associated with member heterogeneity, but the association was negative for sociodemographic diversity (e.g., race/ethnicity and age) and positive for diversity with respected to task-related attributes (e.g., ability). These associations were extremely small (near zero in magnitude).

A more important contribution of the Joshi and Roh analysis is their careful examination of the effects of workplace gender and race ratios. They found that diversity had more negative effects when women or minorities were rare than in more gender- or race-balanced situations, although, again, the negative effects were small in absolute terms.[13] They also found that as a team's task interdependence increased, sociodemographic diversity had more negative effects.

Joshi and Roh note that their analysis helps to pinpoint "the specific conditions under which diversity can have beneficial or detrimental effects on performance outcomes" (p. 618)—specifically, sociodemographic diversity is most likely to be deleterious when it is unbalanced (large majority, small minority) in highly task-interdependent teams. But it is important to bear in mind that these negative effects are quite small.[14] Thus, Joshi and Roh note that "our findings challenge the assumption, born from social categorization theory, that some aspects of diversity necessarily have detrimental effects on team performance." Similarly, King, Hebl, and Beal (2009) suggest that "although social categorization theory (the primary model that would apply to cooperative behaviors) would typically suggest that similarity fosters cooperation, there is substantial evidence that this is not always the case."

**Heterogeneity and Conflict: When and What Kind?** A number of recent studies have helped to identify some of the conditions in which heterogeneity is most likely to create conflict. A meta-analysis of 26 different estimates by De Dreu and Weingart (2003) found that team performance was most likely to be impaired when member conflicts involved both relationship conflicts (e.g., personality clashes) and task conflicts (e.g., disputes about how the job should be done). They also found that these conflicts were more disruptive for complex tasks (e.g., group decisionmaking) than for simple production tasks.

Another important factor is time. Several studies have shown that any negative effects of sociodemographic differences tend to dissipate over time (Chatman and Flynn, 2001; Chatman et al., 1998; Harrison et al., 2002; Pelled, Eisenhardt, and Xin, 1999; Watson, Kumar, and Michaelsen, 1993). Sargent and Sue-Chan (2001) argued

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[13] It is not clear if this would generalize to sexual orientation, since gay men and lesbians may be able to choose to conceal this characteristic when they feel greatly outnumbered in a group.

[14] Their correlation of −0.12 would be conventionally labeled a "small effect" using Cohen's (1988) guidelines; accounting for less than two percent of the variance in the diversity-performance relationship (i.e., $r^2 = -0.12^2 = 0.0144$), it would be undetectable to a casual observer.

that the effects of racial and ethnic heterogeneity may actually become positive and beneficial but that this "is not likely to manifest in the early life of the group; rather, it will likely manifest later in the group's performance cycle." Harrison et al. (2002) found that while the effects of age, gender, and race grew weaker with time, differences in attitudes about the meaningfulness and importance of the group's task became more important over time (Harrison, Price, and Bell, 1998; Harrison et al., 2002). This is also illustrated by experiments showing the corrosive effects of a coworker who allegedly refused to work overtime (Abrams et al., 2002) or who was "taking a longer than acceptable lunch break, working on personal materials during work time, and leaving their work for a colleague to complete" (Wellen and Neale, 2006). These findings are consonant with what we see in the literatures on task cohesion, on interpersonal trust, and on effective leadership (see below): People are motivated to work with and trust colleagues (and leaders) who have demonstrated their competence, their reliability, and their loyalty and commitment to the group's goals.

**Will Hostile Straight Service Members Work with Gay and Lesbian Colleagues?**
The findings of Moradi and Miller (2010) in the U.S. military, and perhaps those of Kaplan and Rosenmann (2010) in the IDF, may seem surprising in light of dire predictions that are sometimes made based on evidence for widespread negative views of gay and lesbian sexual orientation among heterosexual members of the military. But as we argued in 1993:

> There are predictions of soldiers refusing to work, bunk, or shower with homosexuals, and of widespread outbreaks of violence against homosexuals. But there is little reason to believe that negative attitudes toward homosexuality are automatically translated into destructive behaviors. . . . The effect of attitudes toward social groups on behavior is known to be indirect, complex, and for most people, fairly weak. (RAND, 1993)

Our 1993 analysis reviewed a wide range of evidence for these arguments, which we will not repeat here. But, in brief, it is now well established that people are not particularly good at accurately identifying and recognizing the causes of their behavior (Nisbett and Wilson, 1977; Wilson, 2009). Attitudes are particularly poor as predictors in domains where the respondent has little direct experience and is, in effect, speculating about his or her responses to the situation (Fazio and Zanna, 1981); indeed, people are not even very accurate at predicting what their attitudes will *be* in those situations (Wilson and Gilbert, 2003). When forecasting their own behavior, people do poorly in large part because they fail to appreciate the many situational forces that will actually shape their responses.

That is not to say that hostile attitudes will never be expressed behaviorally. In an organization as large as the U.S. military, it is prudent to anticipate that there will be

occasional incidents—as there are with respect to race, gender, religion, politics, and other differences—and that military leaders will have to respond accordingly.

There is also the question of how units will respond if unit leaders are themselves known gay men or lesbians. RAND's 1993 study concluded that all leaders need to establish their competence and their loyalty to the organization in order to earn the "followership" of their subordinates and that this is especially likely to be true for leaders who belong to socially stigmatized groups. A recent review of the correlates of effective military leadership concluded that demographics (race/ethnicity, gender) are not the critical factor in determining leader effectiveness: "All in all, these results suggest that these demographic variables play, at most, a weak role in terms of leadership effectiveness" (Wong, Bliese, and McGurk, 2003).

**How Can the Military Build and Strengthen Cohesion?**
Stable emotional bonds among members might play a smaller role than traditionally assumed in building unit cohesion. But this does not mean that we know nothing about where cohesion comes from or how to build it. RAND (1993) and MacCoun (1996) reviewed evidence concerning many different factors that are known to build cohesion, including

- propinquity (spatial and temporal proximity—the people who happen to be around us)
- shared group membership—belonging to a social category that is salient in the immediate situation (e.g., two parties who are rooting for Navy in the annual Army-Navy football game)
- attitude similarity
- success experiences (as noted earlier in this chapter)
- shared threat (as noted earlier in this chapter)
- leadership and training.

This last point is particularly important. Many authors have discussed the key role that leaders play in building unit cohesion (Grice and Katz, 2005; Griffith, 2002; Siebold, 2007; Siebold and Kelly, 1988; Spiszer, 1999). For example, Griffith (2002) found that leader emotional support and task support both predicted the development of unit cohesion, as well as individual coping.[15] Bass et al. (2003) reported on a study of 72 light infantry platoons in combat simulation exercises. They found that unit members' ratings of their leaders' skills predicted unit cohesion as well as performance four to six weeks later. They concluded that

> by articulating clear standards and expectations for performance and showing recognition to platoon members for specific milestones achieved, platoon leaders may

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[15] Unexpectedly, leader emotional support was negatively associated with combat readiness.

establish a basis for working together that prepares the unit to function in an environment where knowing what to do, when to do it, and with whom is essential to successful performance. (p. 215)

(For similar results in the Norwegian Navy, see Bartone et al. [2002].)

As we noted in 1993, leaders earn their authority by demonstrating competence and loyalty with respect to the unit's mission. But since 1993, a great number of studies have examined the specific leadership behaviors that promote effective team functioning. Field experiments show that effective leadership can be trained (Dvir et al., 2002; Salas et al., 2008). While it is difficult to doubt the value of a "charismatic" personality, it is not clear that this can be taught, and it may not persist over time (Keithly and Tritten, 1997). But officers can be trained in the skills of "transformational leadership," which involves fairness, respect, clarity, consistency, and a willingness to listen (Deluga, 1995; Grice and Katz, 2005; Popper, 1996); and these are at least as important as the doling out of rewards or punishments—i.e., transactional leadership (Judge and Piccolo, 2004). In a meta-analysis of 113 estimates from 50 different studies that measured leadership behaviors and team performance, Burke et al. (2006) found that two classes of leader behaviors promoted good performance: task-focused behaviors, such as the use of praise and clarity about objectives and expectations, and person-focused behaviors involving trust, respect, and encouragement.

Grice and Katz (2005) noted that "one of the indicators of effective leadership is the ability of the leader to resolve interpersonal conflicts and maintain interpersonal relationships." But Knouse (1998, 2001) argued that, to offset any deleterious effects of member heterogeneity, it may be more useful to focus training on task cohesion rather than social cohesion. To build task cohesion, it is not sufficient to emphasize the importance of the team's goals; units need their leaders to help them understand how to achieve those goals. Thus, military researchers have recently devoted considerable attention to the importance of interpersonal task coordination through the use of cross-training (Cannon-Bowers and Salas, 1998; Leedom and Simon, 1995) and the development of "shared mental models"—knowledge structures that allow coworkers to coordinate efforts and anticipate their colleagues' needs and actions (Knouse, 2001; Mathieu et al., 2008; Stout et al., 1999).

## Summary

Concerns about the effect of repealing DADT on military effectiveness are sometimes based on two assumptions: that cohesion is a key determinant of unit performance, and that cohesion requires all the members of a unit to like each other and respect each other's personal beliefs. The first assumption is supported by the evidence; cohesion is indeed a reliable correlate of team performance, though it is not the only determinant, and the causation partly goes from performance to cohesion, rather than the reverse.

The second assumption is not well supported by the evidence. The empirical literature since 1993 provides ample evidence to support the distinction between task cohesion (i.e., the shared commitment among members to achieving a goal that requires the collective efforts of the group) and social cohesion (i.e., the nature and quality of the emotional bonds of friendship, liking, caring, and closeness among group members). Although there have been some contrary views (Schaub, 2010; Wong et al., 2003), the empirical literature since 1993 on unit cohesion and its correlates provides considerable support for the conclusions that interpersonal liking is not essential to effective unit performance—what is important is a shared commitment to the unit's task-related goals.

This is not to discount the role of emotional bonds and social support for military life, especially in combat units, but it is important to understand the nature of these factors. Intensified bonds of affection are often a situational response to threat, and, in any case, they are not a prerequisite for trust or dependability. Evidence shows that interpersonal trust in one's comrades is distinct from interpersonal liking and that professionals form this kind of trust rapidly in intense performance situations even when they do not know each other.

Further, it is not clear that repealing DADT will in fact have a deleterious effect on social cohesion. Empirically, the most significant development since 1993 is a now-sizeable body of research on the effects of team heterogeneity on cohesion and performance. Studies in the United States and Israel did not find any significant correlation between perceived unit cohesion and whether one knows of any gay men or lesbians in the unit. In the broader organizational literature, three meta-analyses have found no significant net association between sociodemographic heterogeneity (because of gender, race, and other variables) and team performance, and one meta-analysis found effects that are quite small in magnitude and limited to certain settings. Consistent with the implications of these literatures, the experiences of organizations in which gay men and lesbians currently work without restrictions (see Chapters Ten, Eleven, Twelve, and Thirteen) suggest that any deleterious effects on teams that have known gay and lesbian members may be rare and fleeting.

The empirical literature shows that military leadership and training are essential in building cohesion and improving unit performance. If interpersonal conflict in a unit becomes disruptive, commanders can and should intervene, using positive guidance where possible and disciplinary actions or reassignment when absolutely necessary. But the literatures on cohesion and performance suggest that such situations will be the exception, not the rule.

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# Potential Effects on Military Recruiting and Retention[1]

## Overview

The possibility of known gay men and lesbians being allowed to serve in the military raises concerns among some people that recruitment and retention could be adversely affected. The military expends considerable resources in the form of recruiters, advertising, pay, and bonuses to attract and retain military personnel. While these resources might be expanded in the event of a drop in enlistments and retention associated with the repeal of DADT, doing so might involve considerable cost. On the other hand, allowing known gay men and lesbians to serve in the military might expand the recruitment and retention of people who support such a policy. Retention might also improve if gay service members who would otherwise be discharged under DADT choose to stay or return to service if DADT were repealed. Consequently, the net effect of repealing DADT could be negative or positive.

The 1993 study described the determinants of enlistment and reenlistment and discussed the possible effects on enlistment and reenlistment of allowing known gay men and lesbians to serve. This chapter describes new evidence on the determinants of enlistment and reenlistment, as well as information on the changed environment in which military recruitment and retention take place, and uses new sources of information to discuss the possible effects of repealing DADT. We examined results of two 2010 DoD surveys that asked young adults about the likelihood that they will enlist. Analysis of one survey suggests that enlistments might decrease by 7 percent following a repeal; analysis of the other suggests that a repeal might generate a 4-percent increase in enlistments. These differences illustrate the considerable uncertainty associated with any estimates of how repeal might affect enlistments. As discussed in Chapter Ten, survey data collected just prior to the removal of a ban on service by gay men and lesbians in Canada and the United Kingdom similarly predicted negative consequences for recruitment, but there was in fact no discernable effect.

Past research shows that retention for much of the career force is relatively insensitive to external factors and that compensation-related factors, such as the eligibility

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[1]   This chapter was prepared by Beth J. Asch and Paul Heaton.

for a military pension after retirement, take priority in the retention decision. To analyze the effect of DADT repeal on intentions to stay or leave, we drew on data from the Survey of Military Personnel conducted for the Comprehensive Review Working Group in summer 2010. We find that the group of active-duty personnel that is most likely to leave the military because of DADT repeal accounts for less than 6 percent of all personnel. These are individuals who say that they planned to stay but consider DADT repeal more important than other factors affecting their retention decision and, therefore, that they would leave if DADT were repealed. We cannot predict how many will leave, but these data on intentions suggest that retention effects are likely to be small.

Although the extent of any overall negative effect on recruiting and retention is uncertain, estimates based on the best available data suggest that negative effects would be well within the range of past drops in recruiting and retention and would therefore be manageable with existing tools, such as the recruiter force, military compensation and bonuses, and advertising.

## Study Approach

We examine recruiting and retention through two key lenses. First, we present updated contextual information necessary for assessing how a change in military policy with regard to gay men and lesbians might affect recruiting and retention. Specifically, we review recent major studies of the determinants of enlistment and reenlistment and draw from the literature and available data to describe important trends in these determinants since 1993.

Second, we assess how a change in policy might affect recruiting and retention, drawing on survey data and results from past research. These data are first used to examine how teens and young adults in the United States anticipate that a policy change would affect their future enlistment behavior. We combine these survey responses gauging how enlistment propensity would change following the repeal of DADT with past research on the relationship between propensity and actual enlistment behavior. We also use responses from the DoD survey of military personnel about how repealing DADT would affect retention intentions to identify the percentage who would be most likely to leave service because of the repeal of DADT. Our analytical methods are briefly described later in the chapter and described in greater detail in the appendix to this chapter.

## Key Findings: Recent Research on Enlistment and Reenlistment

Research related to the success of the all-volunteer force, and specifically recruiting and retention, has primarily been concerned with the enlisted force, which comprises 85 percent of active-duty personnel. Therefore, the research and data we consider in this chapter focus on *enlistment* and *reenlistment*, which are terms that apply to the enlisted force, rather than *recruiting* and *retention*, which are terms that apply to military personnel in general.

Because the effects of repealing DADT on enlistment and reenlistment are unknowable until the change occurs, discussions of the possible effects are inherently speculative. Nonetheless, in order to frame the discussion of policy change and interpret available data, we review the reasons people choose to enlist and reenlist in the military and examine the broad trends in factors that affect enlistment and reenlistment decisions. Since the 1993 study, new studies have examined the factors associated with joining the military and staying in the military. These studies are based on a common conceptual framework, which we employ here.

Research studies typically view enlistment or reenlistment as a choice people make relative to other courses of action (Warner and Asch, 1995). In general, individuals join the military or, if already in the military, stay in the military if the expected value to them of choosing the military exceeds the expected value of alternative civilian pursuits. The framework presumes that if the expected value of civilian alternatives exceeds that of the military, people either do not join the military or they leave the military.

The expected value of military service is presumed to depend on current pay and benefits, tastes or preferences for military service and military life, and the expected value of the individual's future career path if he or she joins or stays in the military. The future career path includes future military opportunities, such as promotions and assignments, and future civilian opportunities as a result of having served in the military. Finally, random factors, such as an unexpectedly good assignment, a divorce, or medical problems, can also affect the decision to join or stay. Recent studies have refined the framework to include deployment expectations and actual deployment experiences (Hosek and Martorell, 2009; Hosek and Totten, 1998, 2002).

Similarly, the expected value to an individual of civilian alternatives is presumed to depend on civilian job opportunities, including pay and benefits, tastes and preferences regarding civilian opportunities, and the expected future career path if the individual chooses the civilian alternative. Recent studies have refined the civilian alternative to include both civilian work and attending college (Kilburn and Klerman, 1999; Kleykamp, 2006).

The specific factors thought to affect the expected value of joining or staying in the military compared with the value of pursuing civilian alternatives vary across studies, and the approach used to determine their effects on enlistment or reenlistment

depends on the data, methods, and purpose of the study. Some studies use individual-level data on enlistment or reenlistment decisions. Others use aggregate data on numbers of enlistments by geographic area and time period. Together, the studies provide information on the effects of demographic factors; individual and job characteristics; external factors, such as the state of the civilian economy and college financial aid opportunities; and policies meant to improve recruiting and retention, such as bonuses, expansion of the recruiter force, and military pay.

**Determinants of Enlistment**

The armed services seek to attract and retain high-caliber personnel to meet their overall manpower requirements and to shape the force in terms of its rank and experience mix. High-quality recruits are high school graduates with above-average aptitude scores on the Armed Forces Qualification Test. High school graduates are less likely to leave before completing their enlistment contract, and higher-aptitude personnel perform better on military-related tasks (Buddin, 2005). In addition to education and aptitude, the services use other enlistment standards to screen recruits, including physical fitness, moral character, age, indebtedness, and citizenship status. Reenlistment eligibility also includes these factors, as well as conduct and performance in the military.

Studies published since 1993 show that the factors affecting the decision to join the military have not changed, although there is new information about the effects of deployment that draws on the experience in Iraq and Afghanistan. While the same general factors are relevant, the recruiting and retention context has changed, owing not only to the wars in Iraq and Afghanistan but also to changes in the youth population and its attitudes toward military service.

Economic and educational factors remain prominent in young adults' decisions to join the military. Factors associated with civilian job market opportunities have the strongest influence on the enlistment decisions of those who have already graduated from high school, while factors associated with college attendance have the strongest influence for high school seniors (Kilburn and Klerman, 1999). Educational aspirations and the ability to finance higher education increase the likelihood of attending college and reduce the likelihood of enlistment. On the other hand, educational aspirations without a concomitant ability to finance higher education increase the likelihood of choosing the military over civilian work (Kleykamp, 2006).

Both educational aspirations and the ability to finance higher education among young adults have increased since the end of the Cold War. More high school seniors are interested in attending a four-year college after high school, while the availability of college financial aid in the form of state and federal loans and grants, institutional aid, private and employer grants, and educational tax benefits has increased. On the other hand, college costs have also increased for both private and public institutions (Kilburn and Asch, 2003).

As in pre-1993 studies, job market opportunities—specifically, civilian pay and the unemployment rate—continue to be important determinants of the overall number of high-quality enlistments into the military (Asch et al., 2010; Murray and McDonald, 1999; Simon and Warner, 2007; Warner and Asch, 1995; Warner, Simon, and Payne, 2001). Improvements in civilian pay and a tighter labor market, a combination that occurred during the technology boom of the late 1990s, hurt military recruiting. On the other hand, the current weak U.S. economy has depressed civilian pay and job opportunities and dramatically improved military recruiting. Simon and Warner (2007) examine the relationship between the unemployment rate and high-quality enlistments and finds that doubling the civilian unemployment rate—e.g., from 5 to 10 percent—would increase high-quality enlistments by 42 percent. The strong relationship between the state of the civilian economy, as measured by the civilian unemployment rate, and high-quality enlistments is shown in Figure 6.1, drawn from Bicksler and Nolan (2009).

One of the most important changes since 1993 has been a decline in positive attitudes toward enlistment among American youth. This decline, which preceded recent operations in Iraq and Afghanistan, actually began at the end of the Cold War in 1989. Positive propensity is measured by DoD tracking surveys that ask American youth whether they are definitely, probably, probably not, or definitely not interested in joining the military in the next few years. Research shows that propensity is lower among high-aptitude youth and those with more education (Bicksler and Nolan, 2009; Simon and Warner, 2007).

**Figure 6.1**
**High-Quality Enlistments and Youth Unemployment**
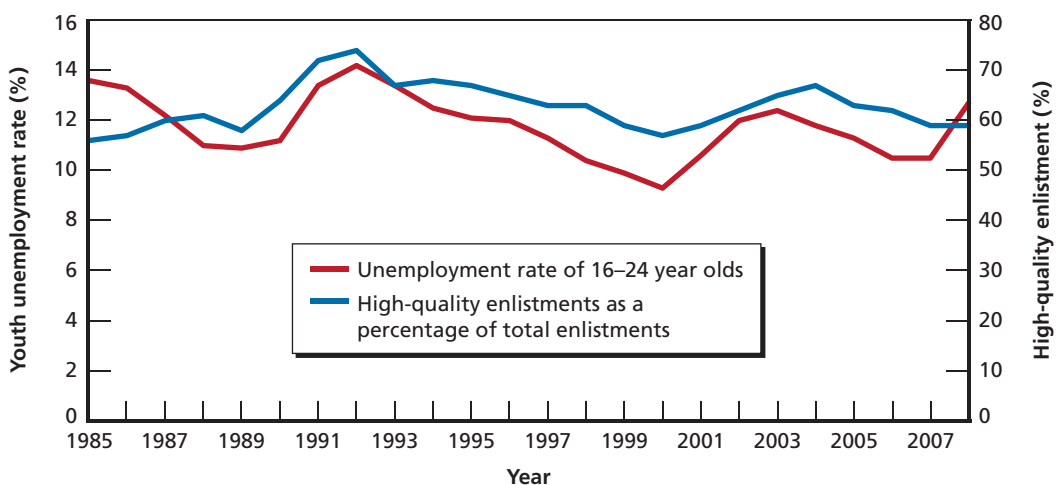


SOURCE: Bicksler and Nolan, 2009; U.S. Department of Defense and U.S. Bureau of Labor Statistics.
RAND *MG1056-6.1*

Influencers, such as parents, teachers, coaches, and other close adults, affect attitudes toward enlistment. Research shows that parents play a key role in the formation of youth propensity by influencing their child's impressions of the military and beliefs about whether he or she can succeed, as well as by recommending service and having conversations with their child about joining the military (Defense Human Resource Activity, 2010). Because of military downsizing in the 1990s and the rising number of deaths among the World War II generation, the population of one group of positive influencers—veterans—has dropped precipitously since 1990 (Defense Human Resource Activity, 2009b). In addition to a decline in the population of influencers, attitudes toward the military among influencers have also changed in recent years. Since the invasion of Iraq in 2003, influencers have become less likely to recommend military service.

Youth are also influenced by the characteristics of military service. Chief among these characteristics are pay and benefits. Youth are highly responsive to increases in military pay, though pay increases are also the most costly way to improve high-quality recruiting (Asch et al., 2010; Warner, Simon, and Payne, 2001). Enlistment bonuses also expand the recruiting market, though they are more effective in motivating eligible youth to select hard-to-fill occupations, such as combat arms (Polich, Dertouzos, and Press, 1986). Research suggests that expenditures on recruiters have a larger market expansion effect than equivalent expenditures on bonuses, while military advertising has a modest but highly cost-effective impact on enlistments. An important component of the role of recruiters in expanding the market is the effect of the policies used to manage recruiters—specifically, the monthly missions and the incentive schemes used to motivate them to be more productive in enlisting high-quality recruits (Dertouzos, 1985; Dertouzos and Garber, 2006).

During the 1990s, military pay raises did not keep up with pay in the private sector, leading to recruiting and retention shortfalls (Asch, Hosek, and Warner, 2001). Because Congress authorized pay raises through 2006 that were higher than changes in civilian pay, and because of a restructuring of the basic pay table and increases in the housing allowance, military pay and allowances have increased faster than civilian pay since 1999. The pay actions of the past decade have also provided a safety net for meeting challenges associated with the 9/11 terrorist attacks and the wartime operations in Iraq and Afghanistan.

Recent studies estimate that operations in Iraq and Afghanistan have had a negative effect on high-quality enlistments, holding constant other factors influencing recruiting, such as changes in pay and other recruiting resources and the civilian economy. Asch et al. (2010) estimate that the Iraq war would have been associated with as much as a 60-percent decline in high-quality Army enlistments, but expansions in bonuses, pay, recruiters, and other recruiting resources were important in offsetting the adverse effects on recruiting of a growing recruiting mission and of wartime operations.

The services use criteria to screen potential applicants, including age, education, aptitude, medical fitness, moral character, residency and citizenship status, financial stability, and number of dependents. Recent analysis shows that fewer American youth are eligible for military service. Today, only about one-third of youth would qualify for military service, and the percentages are even lower among minorities (Seifert, Hogan, and Moore, 2007). The main disqualifier is weight, followed by education and aptitude. A key trend affecting eligibility for service has been rising obesity rates (Asch, Heaton, and Savych, 2009; Defense Human Resource Activity, 2009b).

Because of the declines in the percentage of youth with a positive attitude toward enlistment, the negative effects of the wars in Iraq and Afghanistan, and the declines in the percentage of American youth who would qualify for service, more effort and resources have had to be devoted to military recruiting. In 1989, $2.3 billion (2008 dollars) was devoted to recruiting (Bicksler and Nolan, 2009). This figure fell during the drawdown years through 1995 and then increased to $3.7 billion in 2008. Since 2000, recruiting costs have increased by 39 percent, from $13,435 per recruit in 2000 to $18,032 in 2008 (in 2008 dollars; Bicksler and Nolan, 2009). These resources include recruiters, recruiting support, advertising, bonuses, and educational incentives.

**Determinants of Reenlistment**

As with enlistment, most of the factors affecting retention have not changed over time. However, additional factors have also been identified in recent studies, most prominently frequent and long deployments and the higher levels of stress associated with the higher work pace needed in a wartime setting.

Compensation-related variables continue to strongly influence reenlistment behavior, with educational considerations also playing an important role. Bonuses are effective in increasing reenlistment rates (Asch et al., 2010; Hogan et al., 2005; Hosek and Martorell, 2009; Moore et al., 2006). Dramatic increases in the Army's bonus budget during the wars in Afghanistan and Iraq have helped offset the negative effects on Army reenlistment of more-frequent long and hostile deployments associated with those wars (Hosek and Martorell, 2009). Figure 6.2 shows that overall reenlistment rates in the Army between 2002 and 2006 were fairly stable.

Reenlistment is responsive to increases in military pay as well (Goldberg, 2001; Hansen and Wenger, 2002). The increase in military pay relative to civilian pay since 1999 has also helped offset the negative effects of frequent long deployments. The recession that began in 2008 has further helped retention. As shown in Figure 6.2, overall reenlistment rates increased in 2008. Finally, Hansen and Wenger (2002) show that increases in civilian unemployment are associated with a higher likelihood of reenlistment.

These research findings are also confirmed by responses of active-duty military to the August 2008 Department of Defense Status of Forces survey, the most recent survey to ask active-duty members about their reasons for staying in the military

**Figure 6.2**
**First-and Second-Term Reenlistment Rates, by Service**
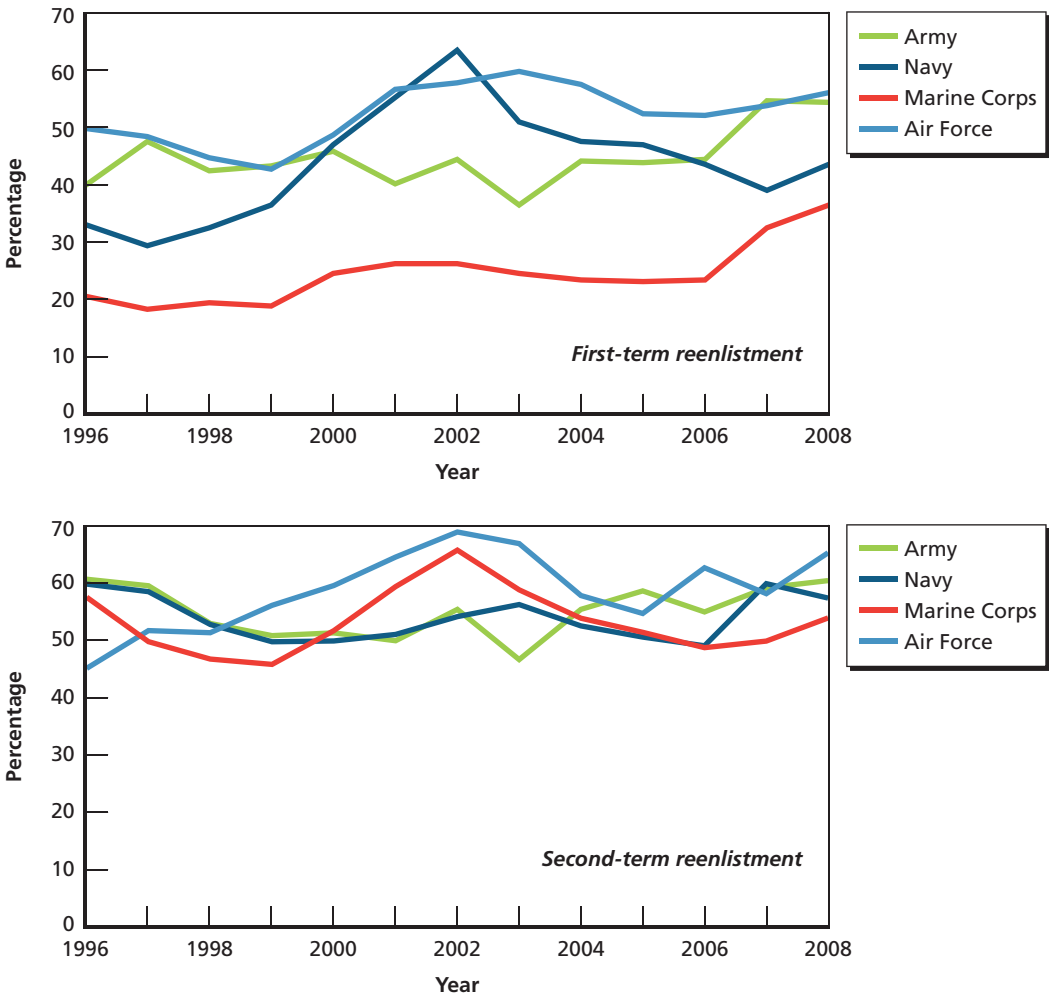


SOURCE: Authors' tabulations using Defense Manpower Data Center Proxy PERSTEMPO personnel file.
NOTE: PERSTEMPO = personnel tempo.
RAND *MG1056-6.2*

(Defense Manpower Data Center, 2010). The top reasons for staying in the military were compensation-related factors, such as pay, allowances, retirement benefits, and financial security, with nearly three-fourths of respondents citing one of these as one of the top three reasons. In contrast, "quality of work environment based on unit morale,

camaraderie, and professionalism" ranked 14th, and "military values, lifestyle, and tradition" ranked 18th.[2]

Considerable research also shows that the military retirement system exerts a strong influence on retention, especially among personnel with at least ten years of service (Asch et al., 2008; Asch and Warner, 1994a, 1994b; Warner, 2006). Figure 6.3 shows the percentage of an entering cohort of enlistees who are still serving by year of service using historical continuation rates.[3] The system induces most midcareer members with 10–19 years of service to stay until the 20-year-of-service vesting point, with year-to-year midcareer retention rates of over 95 percent. Because of the strong pull of the retirement system in midcareer, the retention decisions of these personnel are highly insensitive to external factors.

However, after 20 years of service, retention drops precipitously, since members can begin claiming an immediate annuity that is roughly equal to half of their basic pay. The up-or-out system exerts a strong influence on post–20-year retention, so turnover is much higher after that point. Under the up-or-out system, personnel who have not reached a specific career milestone, such as reaching the rank of major by 20 years of service or colonel by 30 years, are required to leave. Only 10 percent of officers

**Figure 6.3**
**Percentage of Entering Enlisted Cohort Still in Service at Each Year of Service, Historical Data**
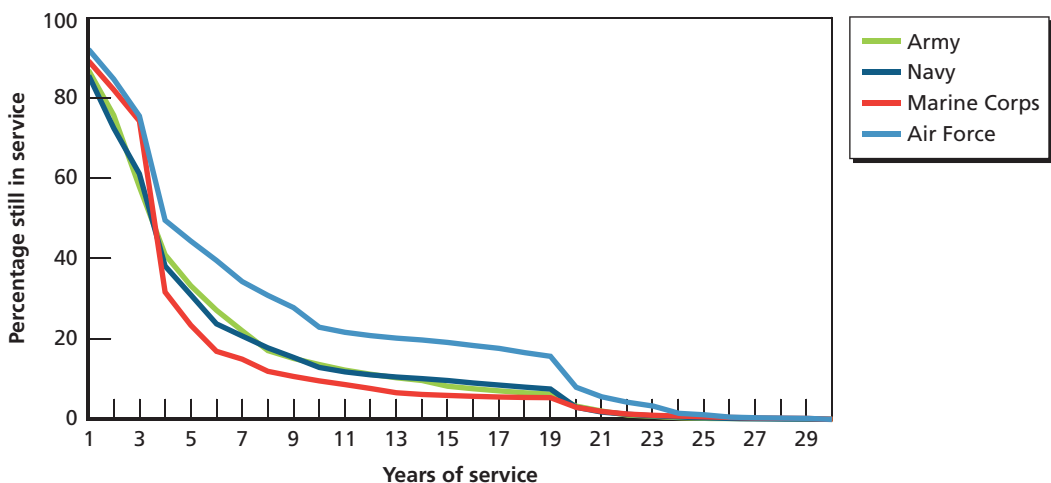


SOURCE: Warner, 2006.

RAND *MG1056-6.3*

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[2]   However, factors unrelated to compensation are important among active-duty members for influencing why they joined the military. In the same survey, the top three factors cited by active-duty members as having a great influence on the decision to join were "travel and new experiences," "challenging or interesting work," and "desire to serve country."

[3]   The officer profile shows a similar pattern, except that, rather than 10 to 15 percent of the entering cohort reaching retirement eligibility as in the enlisted force, the figure is about 30 percent for officers.

who make it to 20 years of service stay until year 30, while less than 5 percent of enlisted personnel do so (Warner, 2006). Because of the retention patterns by year of service seen in Figure 6.3, more than half of the active force—specifically, 54 percent in 2009—has fewer than six years of service.

## Key Findings: Possible Effects of a Change in Policy

The research described above provides context on how enlistments and reenlistments could be affected by the repeal of DADT. A key message of recent research is that numerous factors affect the enlistment and reenlistment decision, with employment, compensation, and deployment-related factors being particularly prominent. If known gay men and lesbians were allowed to serve, the effect on enlistment and reenlistment decisions would depend on the importance of this factor relative to other factors affecting the enlistment and reenlistment decision. Although the past might be an imperfect guide to future behavior under a new policy regime, research shows that enlistments and reenlistments are most responsive to employment, compensation, and deployments, all factors unrelated to the military's policy regarding sexual orientation. Nevertheless, enlistments could be adversely affected if a change in policy negatively affected the decision to join among a large segment of qualified young adults and the size of the negative effect outweighed the effect of factors that positively influence the decision to join. Similarly, reenlistments could be adversely affected if the policy had a widespread negative impact on satisfaction with the military and the negative effect outweighed factors that positively influence the decision to stay.

However, research also demonstrates that a number of policy tools can effectively manage adverse changes to enlistment or reenlistment, should such changes occur following the implementation of a new policy. Moreover, it is also possible that some segments of the population might view military service more favorably following a policy change; existing research on enlistment and reenlistment is relatively silent on this issue. In addition, gay service members who would have been discharged due to the enforcement of DADT in the past might stay or reenlist, thereby increasing reenlistments.

To assess the possible effects of a change in policy on enlistment and reenlistment, we drew from several sources of information. In the case of enlistment, we were able to develop an estimate of the effect by combining youth survey data about how repealing DADT might affect their propensity to enlist with past research findings that link propensity with actual behavior. This estimate is subject to considerable uncertainty. A substantial body of research suggests that individuals have difficulty predicting their own behavior in circumstances that they have not yet experienced, so evidence gleaned from survey questions regarding future behavior must be weighed with appropriate caution, as discussed further below (Fazio and Zanna, 1978; Sutton, 1998; Wilson and

Bar-Anan, 2008). Moreover, responses to questions regarding the effects of a policy change differ appreciably across the two surveys we consider, suggesting that the survey responses may provide imperfect information about the likely effects of policy change.

In the case of reenlistment, we do not have comparable survey data that can be used to estimate the effect of repealing DADT. Instead, we tabulate the responses from the 2010 DoD survey of military personnel to assess the changes in their intentions to stay in the military if DADT were to be repealed. The analysis focuses on those who are most likely to leave, as revealed by their responses to three survey questions: whether they planned to stay in the military, whether repeal of DADT would cause them to leave, and whether repeal of DADT is more important than any of their top reasons for staying in the military. While past research provides estimates of the link-age between intentions and actual reenlistment behavior, we are unable to use them to estimate the effect of repealing DADT for two reasons. First, the wording of the reten-tion intentions question in the 2010 DoD survey differs from that used in past DoD surveys on which the research is based. Second, the past research focuses on reenlist-ment, when members are near the end of their service obligation; at this point in their careers, members are free to leave, and their intentions are more likely solidified. The DoD survey focuses on retention when members are not necessarily near the end of an obligation. Although we cannot use the past research to estimate the effect of DADT on retention, we draw on the research to obtain a sense of the magnitude of the effect, given the DoD survey responses on retention intentions. We conclude the section by first discussing the possible change in recruiting and retention caused by changes in the recruitment and retention of gay men and lesbians and then by discussing the overall context—specifically, the likely overall need for military personnel.

**Survey Data on Enlistment Intentions Following a Change in Policy**

Our analysis of data from a survey of American youth ages 15 to 24, conducted in 2010 by DoD, provides information on how enlistments might change if DADT were repealed. In the spring (April–June) and again in the summer (July–September) of 2010, DoD fielded two surveys with questions asking youth and young adults (1) how likely they would be to join the military in the next few years and (2) how repeal-ing DADT would change their plans for joining the military. For the latter ques-tion, the spring survey asked how allowing gays and lesbians "to serve their country openly" would affect their enlistment decision; the summer survey did not use the term "openly" and asked how allowing known gays and lesbians to serve their country would affect their enlistment decision.

We use the responses to these two questions to project how repealing DADT might affect enlistments. We start with the responses to the first question on enlistment intentions. Young people can provide one of four responses: definitely likely, probably likely, probably unlikely, or definitely unlikely to enlist. The responses to this ques-tion are shown in the first column of Table 6.1 for the spring survey and of Table 6.2

**Table 6.1**
**Plans to Join the Military and Estimated Enlistments, Ages 15 to 24, Spring (April–June) 2010 Survey**

|  | Respondents Agreeing (%) | Enlistment Probability by Enlistment Intention (%) | Enlistments per 100 Young Adults Ages 15–24 |
|---|---|---|---|
| Definitely | 4.5 | 26.4 | 1.20 |
| Probably | 8.9 | 12.4 | 1.10 |
| Probably not | 27.8 | 4.8 | 1.34 |
| Definitely not | 58.7 | 1.9 | 1.12 |
| Total |  |  | 4.75 |

SOURCE: Authors' calculations based on April–June 2010 Defense Human Resource Activity, Joint Advertising and Market Studies (JAMRS) Ad-Tracking survey. Enlistment probability by intention is drawn from Defense Human Resource Activity, 2009a.

NOTE: Enlistments across intention categories may not sum because of rounding.

**Table 6.2**
**Plans to Join the Military and Estimated Enlistments, Ages 15 to 24, Summer (July–September) 2010 Survey**

|  | Respondents Agreeing (%) | Enlistment Probability by Enlistment Intention (%) | Enlistments per 100 Young Adults, Ages 15–24 |
|---|---|---|---|
| Definitely | 1.3 | 26.4 | 0.33 |
| Probably | 16.2 | 12.4 | 2.00 |
| Probably not | 29.7 | 4.8 | 1.43 |
| Definitely not | 52.9 | 1.9 | 1.00 |
| Total |  |  | 4.77 |

SOURCE: Authors' calculations based on July–September 2010 Defense Human Resource Activity, JAMRS Ad-Tracking survey. Enlistment probability by intention is drawn from Defense Human Resource Activity, 2009a.

NOTE: Enlistments across intention categories may not sum because of rounding.

for the summer survey. Comparison of the responses shows that summer respondents have a higher positive propensity to enlist, where positive propensity is the sum of the "definitely" and "probably" categories. (Similarly, the negative propensity group is the sum of the "definitely not" and "probably not" categories.) Spring respondents have a 13-percent positive propensity compared with a positive propensity of 17 percent among summer respondents. While the percentage distribution across response categories differs between the two surveys, the same general pattern is apparent; the negative propensity group, especially the "definitely not" category, is far larger than the positive

propensity group in both surveys. Most young Americans are not interested in joining the military, and we observe this in both surveys.

However, it is also the case that intentions do not perfectly predict future behavior. Research shows that those with a higher intention level do in fact enlist at a higher rate, but intentions do not fully account for the variety of factors that influence one's future behavior (Defense Human Resource Activity, 2009a). People change their minds, and some young people may be unsure about what they will decide when actually faced with an enlistment decision in the future.

Because identical questions regarding enlistment propensity have been used in past DoD surveys of young people, researchers have been able to measure differences in actual enlistment rates across individuals with different enlistment intentions. These enlistment rates by enlistment intention are shown in the second column of Tables 6.1 and 6.2. For example, historically, about 26 percent of individuals reporting that they would "definitely" join the military over the next several years actually joined, while about 2 percent of those reporting that they would "definitely not" join the military joined (Defense Human Resource Activity, 2009a).

Using the enlistment rate information along with the survey responses, it is possible to project the number of enlistments, given enlistment intention. These results are shown in the last column of each table. While the projected enlistments differ somewhat across response categories between the surveys, both surveys indicate that about half of enlistments (2.3 per 100 young people) come from the positive propensity group, and the other half (2.4) comes from the negative propensity group. Thus, although relatively few American young people have a positive propensity to enlist, the enlistment rate is sufficiently high among this group that it generates the same number of enlistments as the negative propensity group, a group that is far larger but has a much lower enlistment rate.

To project the effect of DADT repeal on enlistments, we combine the responses to the first survey question, summarized in Tables 6.1 and 6.2, with the responses to the second question, summarized in Table 6.3, on how intentions would change if DADT were repealed. Almost three-fourths of all respondents between the ages of 15 and 24 stated that repealing DADT would *not* change their plans to join the military. In both surveys, more respondents reported negative effects of the policy change than positive effects. For example, in the spring survey, 20 percent of respondents stated that repealing DADT would mean they would be less likely or somewhat less likely to join, compared with only 4 percent who stated that the policy would make them more likely or somewhat more likely to join. In the summer survey, these figures are 17 percent and 9 percent, respectively. The ratio of negative responses to positive responses thus shifted from 5:1 in the spring to 2:1 in the summer. Responses may have been sensitive to the change in the wording of this question (dropping the word "openly"), or youth attitudes may have shifted during the summer—possibly because the timing of the surveys relative to the end of the school year means that spring respondents could still

**Table 6.3**
**Change in Stated Plans to Join the Military if DADT Were Repealed, Ages 15–24, Spring (April–June) and Summer (July–September) 2010**

|  | Spring 2010 Survey (%) | Summer 2010 Survey (%) |
|---|---|---|
| More likely | 1 | 3 |
| Somewhat more likely | 3 | 6 |
| No change | 72 | 71 |
| Somewhat less likely | 3 | 7 |
| Less likely | 17 | 10 |
| Refused | 4 | 3 |
| Total | 100 | 100 |

SOURCE: Authors' calculations based on 2010 Defense Human Resource Activity, JAMRS Ad-Tracking surveys.

be attending school, while summer respondents could be unemployed. Alternatively, the shift may have been due to sampling variation.

Among the small group who stated that they are probably or definitely joining the military in the next few years, responses also varied across the two surveys—in the spring survey, attitudes among those considering military service were similar to those of the overall survey population. In the summer survey, respondents considering service were less likely to view repeal in a neutral fashion—31 percent said that it would make them less likely to join, while 21 percent said that a policy change would make them more likely to join. We caution that the margin of error for this small subgroup of survey respondents is much higher than it is for all respondents to this survey.

To project how repealing DADT might affect enlistments, we apply the responses on how intentions would change, summarized in Table 6.3, to the intention levels, summarized in Tables 6.1 and 6.2, for each survey. That is, we move respondents to higher or lower enlistment intention categories based on their answers to the question about how their intention would change if DADT were repealed. Each survey tells us the fraction of young adults who expect that repealing DADT will change their propensity to enlist by some amount (Table 6.3), but not by how much. To estimate the change in enlistments if DADT were repealed, we need to make an assumption about the magnitude of the change in intentions for the positive and negative groups. This chapter's appendix describes the details of how we move respondents to new categories. Having done this, we use the enlistment rates in the second columns of Tables 6.1 and 6.2 to translate the new distribution of enlistment intentions in each survey to an expected number of enlistments.

Table 6.4 summarizes the results of these calculations. The column showing projected enlistments by intention level in the absence of repeal of DADT contains the baseline enlistments (shown earlier in Tables 6.1 and 6.2, respectively) for the spring and summer surveys. The projected enlistments by intention level if DADT were repealed are found by moving respondents to higher or lower intention groups and applying the enlistment rate for each intention group (shown in column two of Tables 6.1 and 6.2).

Based on the responses to the spring survey, we project a drop in enlistments from 4.75 to 4.41 enlistments per 100 young adults following a repeal of DADT, or a relative decrease of 7 percent. In contrast, the summer survey responses indicate that enlistments would rise from 4.77 to 4.95 per 100 young adults following a repeal, or a relative increase of 4 percent. The two surveys thus disagree concerning whether enlistments are likely to rise or fall as a result of repeal, although they are concordant in that both suggest that any effects of the policy change are likely to be modest.

To put these estimates in context, a 7-percent decline in enlistments is similar to the decline expected from a 1-percent decrease in the civilian unemployment rate. A 4-percent increase in enlistments roughly equates to the expected change arising from a 4-percent increase in military pay (Asch et al., 2010). Changes of this magnitude are well within the range of variation in the underlying enlistment rate experienced since the all-volunteer force was established in 1973.

The fact that two surveys with similar protocols that were fielded within a few months of one another yield different predictions highlights the uncertainty surrounding these estimates of the effects of repealing DADT. Several sources of uncertainty affect these estimates. The survey results are subject to sampling error and question

**Table 6.4**
**Projected Enlistments per 100 Young Adults Ages 15–24, Spring (April–June) and Summer (July–September) 2010 Surveys**

| | Spring | | Summer | |
|---|---|---|---|---|
| | Enlistments If DADT Were Not Repealed | Enlistments If DADT Were Repealed | Enlistments If DADT Were Not Repealed | Enlistments If DADT Were Repealed |
| Definitely | 1.20 | 1.17 | 0.33 | 1.36 |
| Probably | 1.10 | 1.09 | 2.00 | 1.28 |
| Probably not | 1.34 | 1.00 | 1.43 | 1.26 |
| Definitely not | 1.12 | 1.15 | 1.00 | 1.04 |
| Total | 4.75 | 4.41 | 4.77 | 4.95 |

SOURCE: Authors' calculations based on 2010 Defense Human Resource Activity, JAMRS Ad-Tracking surveys. Enlistments may not sum to total because of rounding. See the appendix for a description of our methodology for estimating enlistments if DADT were repealed.

wording. Youth may not have well-formed attitudes about the policy and may not be able to correctly predict how they will behave if circumstances change. Our projections of enlistments are based on an assumption about the size of the change in intentions for those who report that repeal would make a difference. They also reflect attitudes toward DADT as of 2010. If DADT were repealed, these attitudes might change over time with greater exposure to the policy change.

Our primary conclusion that a policy change would likely generate, at most, modest changes in recruiting is supported by the responses to another question included in the summer 2010 survey. Respondents were asked to rate a set of 33 items on a scale of 1 to 7, where 1 denotes a factor that is "not at all important" in affecting their enlistment decision and 7 denotes a factor that is "extremely important" for their enlistment decision. In terms of average importance to survey respondents, "repeal of 'Don't Ask, Don't Tell'" ranked 31st of the 33 items, behind such factors as "hav[ing] a job that makes you happy" (1st), "prefer college" (3rd), "do something you can be proud of" (7th), "physical challenge" (21st), and "other family members joined" (29th). DADT ranked ahead of "get away from gangs/high-crime neighborhoods" (32nd) and "not qualified [to join the military]" (33rd). These data indicate that American youth and young adults do not identify potential repeal as a major factor influencing their decision to join the military.

As noted above, in the event that a policy change does impact recruiting, research has demonstrated the effectiveness of recruiting resources in countering variations in enlistment propensity and has provided information about the size and mix of resources needed. How much recruiting costs would change if DADT were repealed would depend not just on the magnitude of the change in enlistments but also on the mix of resources used to address recruitment shortfalls, should they occur. Advertising and recruiters are more cost-effective methods of improving enlistments than raising military pay (Asch et al., 2010; Dertouzos, 2009; Polich, Dertouzos, and Press, 1986).

**Survey Data on Retention Intentions Following a Change in Policy**

As mentioned, whether reenlistment would be affected by allowing known gay men and lesbians to serve depends on whether this change positively or negatively affects the decision to stay in the military and the importance of this effect relative to other factors that influence retention. We can gain some insight into whether retention might drop by considering the responses to the retention-related questions in the 2010 DoD survey of military personnel.

Retention intentions are quite high among survey respondents, even among junior enlisted personnel, as shown in Table 6.5. More than half of the active-duty respondents said that they definitely or probably plan to stay until retirement, while 73 percent said that they plan to stay until retirement or beyond their current obligation. Among junior enlisted personnel, the percentages are 28 percent and 60 percent, respectively.

**Table 6.5**
**Stated Plans of Active-Duty Military Personnel to Stay in the Military,**
**2010 DoD Survey of Military Personnel**

|  | All Active-Duty Personnel (%) | Active-Duty Junior Enlisted Personnel (E-1–E-3) (%) |
| --- | --- | --- |
| Definitely stay until retirement | 35.6 | 10.8 |
| Probably stay until retirement | 19.9 | 17.7 |
| Definitely stay beyond my present obligation but not necessarily until retirement | 6.2 | 10.5 |
| Probably stay beyond my present obligation but not necessarily until retirement | 11.0 | 21.3 |
| Definitely leave upon completion of my present obligation | 11.7 | 17.9 |
| Probably leave upon completion of my present obligation | 10.8 | 20.9 |
| Have met retirement eligibility but continue to serve | 4.4 | 0.3 |
| Missing | 0.4 | 0.6 |

SOURCE: Authors' calculations based on 2010 DoD Survey of Military Personnel.

NOTE: Percentages may not sum to 100 because of rounding.

However, a comparison of these figures with the retention rates shown in Figure 6.3 indicates that the percentage that actually stays is much lower than the percentage that intends to stay. For example, at the fourth year of service in Figure 6.3, roughly corresponding to the end of the first obligation, only 40 percent of the entering enlisted cohort is still serving. Furthermore, only 9 percent of the entering cohort reaches eligibility for retirement at 20 years of service. The 9-percent figure is dramatically lower than the 28 percent of junior enlisted personnel who say they plan to stay until retirement; military personnel change their minds, and the services' personnel requirements emphasize "youth and vigor" and a junior force, so not every entrant is permitted to stay until retirement. One factor possibly explaining the large percentage of respondents in the DoD survey that intends to stay is the current recession and the high unemployment rate in the United States. As mentioned earlier, research shows that poorer job prospects increase reenlistment.

The DoD survey also asked respondents how their retention plans would change if DADT were repealed. Table 6.6 shows the responses on how plans to stay in the military would change if DADT were repealed. Twelve percent of these respondents said they will leave sooner if the policy is changed, and another 10 percent said they

**Table 6.6**
**Change in Stated Plans to Stay in the Military Because of Repeal of DADT, 2010 DoD Survey of Military Personnel**

|  | Active-Duty (%) | Guard (%) | Reserve (%) |
|---|---|---|---|
| Will stay longer than planned | 2 | 2 | 2 |
| Will think about staying longer than planned | 2 | 2 | 2 |
| Will think about leaving sooner than planned | 10 | 12 | 11 |
| Will leave sooner | 12 | 13 | 10 |
| Career plans would not change | 60 | 59 | 62 |
| Don't know | 11 | 10 | 10 |
| Missing | 4 | 3 | 3 |

SOURCE: Authors' calculations based on 2010 DoD Survey of Military Personnel.
NOTE: Percentages may not sum to 100 because of rounding.

will think about leaving sooner. Four percent indicated that they would stay longer or would think about staying longer.[4] The results are similar for the reserve components.

Stated plans, however, are not a direct measure of how retention will actually change. First, given the military personnel system, with obligated terms of service, many respondents cannot act on intentions to leave for some period of time. More generally, as mentioned earlier, research shows that people have difficulty predicting their future behavior when circumstances change. Research on the linkage between retention intentions and reenlistment shows that even when personnel who are near the end of their obligation indicate a strong intention to leave, some still choose to stay (Hosek and Martorell, 2009). For example, 17 percent of Army members at the end of their first obligation reenlisted, even though they said they were very unlikely to stay. For Army personnel near the end of their second obligation, 25 percent reenlisted, even though they said they were very unlikely to stay.

**Those Most Likely to Leave *Because of* DADT**

Among individuals who say that they planned to stay but would leave because of the repeal of DADT, those most likely to actually leave are those who also said that DADT is the most important factor in making the decision to go or leave; these respondents indicated in the survey that DADT repeal is more important than any of their top three reasons for staying. However, some of these respondents also indicated that they were already planning to leave at the end of their current obligation. Therefore, their decision to leave would not be primarily driven by repeal of DADT. Therefore, we

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[4]   This figure likely includes some gay personnel; two-thirds of the respondents to our survey of gay personnel indicated that they would be much more likely to stay in the military if DADT were repealed (see Chapter Nine).

define the group of survey respondents who are most likely to leave *because of* DADT repeal as follows:

- did not already plan to leave at the end of their current obligation—i.e., planned to stay
- would leave sooner if DADT were repealed
- rated DADT repeal more important than any of the top three factors leading them to stay.

Table 6.7 shows that 5.6 percent of active-duty personnel meet the three criteria for being most likely to leave the military because of DADT repeal. Another 4.3 percent meet the first two criteria. That is, they said that DADT repeal would make them leave sooner but did not indicate that DADT outweighs other factors leading them to stay. We find similar percentages for the reserve components.

We conducted regression analyses to better understand the characteristics of those most likely to leave. The analysis focused only on active members because, as Tables 6.6 and 6.7 illustrate, the results for the reserve components are similar to those for active-duty members.

The largest differences are across military service and occupation. As shown in Figure 6.4, the percentage of personnel identified as most likely to leave ranged from 2 percent among those in the Coast Guard nonoperational occupations to over 12 percent among Marines in combat arms occupations. After controlling for these service and occupation differences, we found only minor differences by age, gender, and rank.

Across all occupations, Marines are more likely to be in the "most likely to leave" group. However, the Marine Corps differs from the other services in the fraction of personnel who are offered the opportunity to stay in service and enter the career force. As a result, historical Marine Corps reenlistment rates at the end of the first term of

**Table 6.7**
**Percentage of Military Personnel Most Likely to Leave or at Risk of Leaving Because of DADT Repeal, 2010 DoD Survey of Military Personnel**

|  | Active Duty (%) | Guard (%) | Reserve (%) |
|---|---|---|---|
| Most likely to leave: Say they will leave sooner and DADT repeal is more important than other factors in decision | 5.6 | 6.7 | 5.7 |
| Others at risk: Say they will leave sooner but DADT repeal is not more important than other factors in decision | 4.3 | 4.8 | 4.2 |
| Total | 9.9 | 11.5 | 9.8 |

SOURCE: Authors' calculations based on 2010 DoD Survey of Military Personnel. Percentages may not sum to total because of rounding.

NOTE: Percentage of force planning to stay and who said they would leave sooner if DADT were repealed.

**Figure 6.4**
**Predicted Percentage of Active-Duty Personnel Most Likely to Leave, by Service and Occupation, Holding Other Factors Constant, 2010 DoD Survey of Military Personnel**
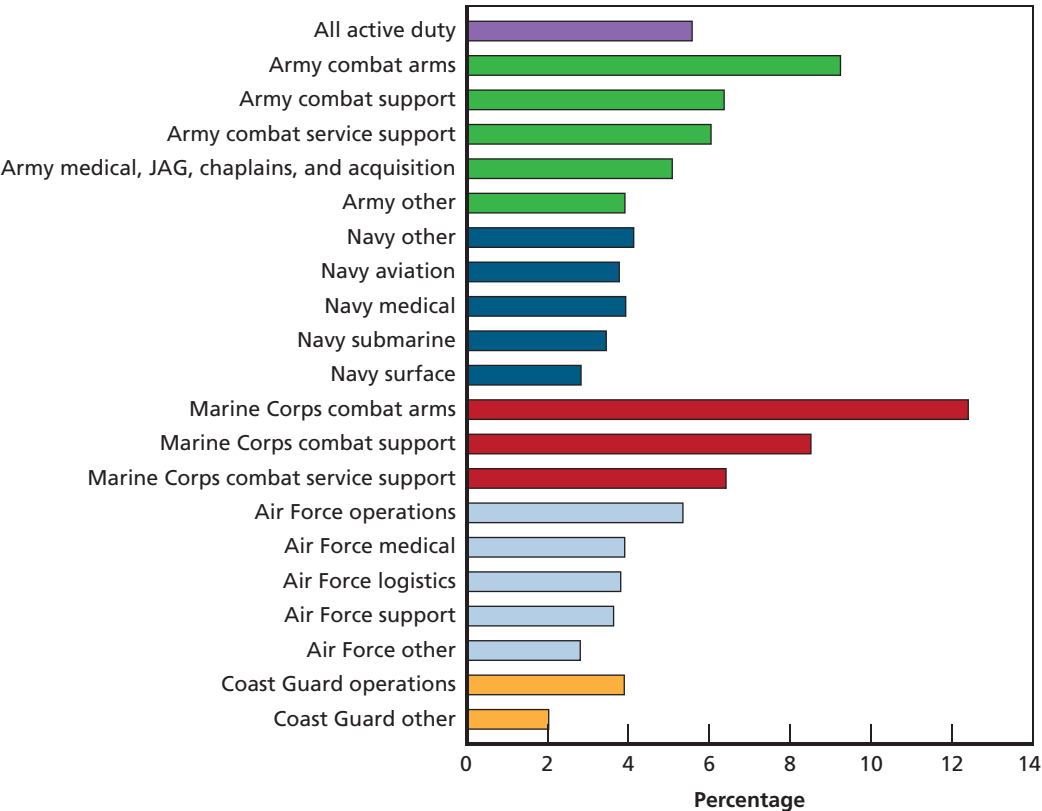


SOURCE: Authors' calculations based on 2010 DoD Survey of Military Personnel.
RAND *MG1056-6.4*

enlisted service are about one-half the rates in the other services (see Figure 6.2). The percentage of Marine survey respondents who indicated that they plan to stay beyond their obligation and to retirement considerably exceeds the percentage that will be offered this opportunity. DADT repeal may somewhat decrease the pool of junior personnel interested in a career, but the Marine Corps should not experience a shortage of qualified personnel willing to stay.

If repealing DADT does in fact result in lower retention, the drop could be offset by increases in reenlistment bonuses, military pay, and allowances, just as many of the negative effects of frequent long and hostile deployments in the Army in 2005 and 2006 were offset (Hosek and Martorell, 2009).

**Possible Changes in the Recruitment and Retention of Gay Men and Lesbians**

We have insufficient data to estimate the change in the recruitment and retention of gay men and lesbians. Figure 2.1 in Chapter Two shows the number of discharges for sexual orientation over time. As discussed, some observers have expressed concern that separation under DADT might be an "easy way out of the military," and these individuals might find other ways to leave the services. Under the most optimistic assumption that every person who would be discharged under DADT would stay if DADT were repealed, the change in active-duty separations would be relatively small. At the peak in 2001, these discharges represented only 0.6 percent of all active-duty separations.[5] This figure suggests that any gains in retention caused by repealing DADT (as a result of the retention of gay service members who would otherwise be discharged) would be quite small relative to the overall flow of personnel leaving the military.

Two-thirds of respondents to our survey of gay personnel indicated that they would be more likely to stay in the military if DADT were repealed (Chapter Nine). This survey, however, was not a representative sample of all gay personnel, but the results suggest that repeal would also lead to fewer voluntary separations of gay personnel.

Our uncertainty is even greater about how overall changes in recruitment would be affected because of changes in the recruitment of young adults who are gay or lesbian. The estimates in Chapter Four show that gay men serve at roughly the same rate as all males in the population, while lesbians serve at a higher rate. Furthermore, the two surveys we used to estimate changes in enlistments if DADT were repealed were designed to be representative of the young adult population, so these estimates should include any change that would arise if these gay and lesbian respondents were more willing to serve. However, we have no direct data to predict how enlistment from these groups would change.

**Possible Change in the Need for Military Personnel**

In addition to the influence of the civilian economy, the observable extent of any near-term effect of repealing DADT will also depend on the military's need for personnel. Table 6.8 shows how requirements have changed since 1993. When requirements fall, fewer personnel need to be recruited and retained to sustain a smaller force; the opposite is true when requirements increase. Since 2001, Army and Marine Corps active end strength has increased to provide large forces to the operations in Iraq and Afghanistan, while Navy and Air Force end strength has declined. The ongoing and planned withdrawal of forces from Iraq and eventually from Afghanistan might result in a new set of requirements. If a policy change that allowed known gay men and lesbians to serve subsequently results in adverse effects on recruiting and retention in the initial

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[5]   Information on active component separations is from the Defense Manpower Data Center's Active Duty Master Files.

**Table 6.8**
**Active-Duty Strength, by Year (thousands)**

|      | Army  | Navy  | Marine Corps | Air Force | Total   |
|------|-------|-------|--------------|-----------|---------|
| 1993 | 555.4 | 502.5 | 176.6        | 440.2     | 1,674.8 |
| 2001 | 465.1 | 370.0 | 170.9        | 348.3     | 1,354.3 |
| 2008 | 525.0 | 325.0 | 196.5        | 322.9     | 1,369.5 |

SOURCE: Office of the Under Secretary of Defense for Personnel and Readiness, 2008, Tables D-11 and D-17.

NOTE: Strengths may not sum to total because of rounding.

period of implementation, the resources needed to counter the effects will depend on how requirements are changing at the time.

## Summary

Two 2010 DoD surveys of young adults in the United States, ages 15 to 24, show that almost three-fourths of youth said that their intention to enlist would be unchanged if DADT were repealed. Among both the overall youth population and the population who report the most enlistment interest, the percentage that said repeal would negatively impact their plans for future service is larger than the percentage that said it would positively impact their plans for future service. One survey suggests that enlistments might decrease by 7 percent following repeal, while the other survey suggests that repeal might increase enlistments by 4 percent. These differences serve to illustrate that the estimates are subject to considerable uncertainty; a substantial body of research suggests that individuals have difficulty correctly predicting their behavior in circumstances that they have not yet experienced. As Chapter Ten discusses, survey data collected just prior to the removal of a ban on service by gay men and lesbians in Canada and the United Kingdom similarly predicted negative consequences for recruitment, but there was in fact no discernable effect. Moreover, American youth reported that the repeal of DADT ranks near the bottom in importance among factors that might affect their enlistment decision.

Should there be a negative effect on enlistment, experience shows that similar drops in enlistments have been successfully offset with expansions in recruiting resources. Past research shows that pay increases are relatively more costly for a given increment in enlistments than expansions in recruiters or advertising budgets.

Insufficient information is available to predict the change in retention rates if policy were to change. Our analysis of retention-related questions in the DoD survey of military personnel provides us with an estimate of the group most likely to leave, as indicated by their stating that they currently plan to stay in the military but that they

would leave if DADT were repealed and that DADT is more important than any of their top three reasons for staying in the military. This group is relatively small—just less than 6 percent of active-duty members—though we reiterate that the estimate of the size of this group is subject to considerable uncertainty. A much smaller group of service members, including some gay personnel, would be more likely to stay if DADT were repealed. Survey evidence supports the view, often expressed in the focus groups we conducted, that compensation-related factors are more likely to influence retention decisions than is a policy change, such as repealing DADT. The importance of financial factors was evident in recent years when frequent long and hostile deployments hurt Army reenlistment, but expansion of reenlistment bonuses helped offset those negative effects.

We cannot predict with certainty what effect repealing DADT would have on recruiting and retention. To the extent that this policy change would reduce the desire to join or stay in the military, it is likely to have a less damaging effect in the immediate future. The economic downturn in civilian job opportunities since 2008 has increased the attractiveness of military service relative to civilian opportunities. As a result, military recruiting and retention have been quite successful in 2009 and 2010. If the current recession continues in the near term, a change in policy that could hurt recruiting and retention would have a more muted effect than if the change occurred when the economy was robust.

If the services wish to maintain enlistment and reenlistment rates, an effect on recruiting and retention, if adverse, could be mitigated with policy changes, such as a larger recruiter force, higher advertising budgets, and larger bonuses. The evidence we have suggests that the size of any fluctuation is within the range of past drops and is therefore readily manageable with existing tools.

## Appendix—Methodology

This appendix provides more-detailed information about how we use responses from the OSD Ad-Tracking surveys and past research to predict the change in enlistments as a result of repealing DADT.

OSD regularly surveys teens and young adults about their intentions to serve in the military, awareness of military advertising, and other enlistment-related issues. One of these surveys is the Ad-Tracking survey, a quarterly survey of young people ages 15 to 35, which is the target market for active and reserve recruiting. Both the spring (April–June) 2010 and summer (July–September) 2010 Ad-Tracking surveys asked young people about their enlistment intentions and how their intentions would change if DADT were repealed. The enlistment intentions question is the standard question that has been used over many years: "How likely are you to join the military in the next few years?" and people can respond "definitely," "probably," "probably not,"

or "definitely not" (or refuse to answer). Tables 6.1 and 6.2 showed the responses to this question in the spring and summer surveys, respectively. The spring survey also asked, "If the 'Don't Ask, Don't Tell' law is repealed by Congress, gay and lesbian citizens would be allowed to serve their country openly in the military. Would repealing this law make you more or less likely to join the United States military?" The summer survey used a variant of this question: "If the 'Don't Ask, Don't Tell' law is repealed by Congress, citizens known to be gay or lesbian would be allowed to serve their country in the military. Would repealing this law make you more or less likely to join the military?" Responses to this question for each survey were shown in Table 6.3. The analysis that follows focuses exclusively on respondents ages 15 to 24, the active-duty target market.

Tables 6.1 and 6.2 also show our projected number of enlistments per 100 young adults, based on the intention responses in each survey. To understand the calculation of enlistments on a conceptual level, it is useful to recognize that each individual in the target population has some probability $p$ of joining the military in the future. The overall youth population can be described using a population distribution function $f(p)$ for propensity; this function simply captures what proportion of youth lies at each possible value of $p$. When $f(p)$ is known, it is possible to calculate the share of youth who will join the military in the future; this is simply the expected value of $p$, which can be obtained by integrating $p \times f(p)$ over $p$ across the range $[0,1]$. Similarly, if a particular individual's propensity is drawn from $f(p)$ and lies below some value $X$, it is also possible to calculate that individual's expected probability of enlisting; this is simply the integral of $p \times f(p)/(1-F(X))$ over $p$ computed across the range $[0,X]$.[6]

The practical challenge that arises in projecting the share of the population that will enlist is that $f(p)$ is unobserved. However, we can obtain information about some characteristics of this distribution by coupling the Ad-Tracking survey responses with recent research linking those survey responses to actual enlistment probabilities. In particular, Defense Human Resource Activity (2009a) indicates that among those who respond with definite intentions to enlist, the actual probability of enlistment is 26.4 percent. Enlistment rates for other categories were shown in Tables 6.1 and 6.2, along with the proportion of youth who fall into each enlistment category. Tables 6.1 and 6.2 thus describe approximations of the distribution $f(p)$; Table 6.1, for example, shows that 60 percent of the population have a $p$ equal to 0.02, 27 percent of the popu-

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[6]   Here $F(X)$ denotes the cumulative distribution function for $p$ evaluated at $X$. To take a more familiar example that illustrates the logic of this calculation, suppose that in a class of 100 students there are 20 six-year-olds, 20 seven-year-olds, 20 eight-year-olds, 20 nine-year-olds, and 20 ten-year-olds. If Bob is a student in the class, is it possible to calculate Bob's expected age if one knows that Bob is less than nine years old? The answer is yes—this is simply $(20/60) \times 6 + (20/60) \times 7 + (20/60) \times 8 = 7$ years.

lation have a $p$ of 0.05, 9 percent of the population have a $p$ of 0.12, and 4 percent of the population have a $p$ of 0.26.[7]

Tables 6.1 and 6.2 showed how we estimate enlistments in the absence of a change of policy. To estimate the expected value of $p$ given what we know about $f(p)$, we estimate the enlistment rate for each intention level (shown in the last column of each table) and sum across intention categories to estimate 4.75 enlistments per 100 young adults in the absence of a policy change in the spring survey and 4.72 enlistments per 100 young adults in the summer survey.

To estimate enlistments if DADT were repealed, we again need to estimate the enlistment rate for each intention category. Doing this requires information on what $f(p)$ would look like if the policy changed. The survey indicates whether the probability of enlistment would go up or down or would stay the same for each respondent but does not tell us how much it would go up or down. Thus, for each respondent, we know that his or her probability of service lies at, above, or below his or her current level; following the logic discussed above, we can still calculate his or her expected value of $p$ following the policy changes by integrating over the portion of the $f(p)$ distribution that lies above or below his or her current value. Doing this for each individual in the sample allows us to calculate the expected rate of enlistment across the population under the new policy.

Two important assumptions that are implicit in this approach merit further elaboration. First, the approach takes as given the accuracy of the survey responses, so that an individual who, for example, states that he or she is less likely to enlist following a policy change is indeed less likely to enlist rather than more likely to enlist. Some research suggests that individuals might experience difficulty predicting their behavior in unfamiliar policy contexts, in which case this assumption might be violated. For example, people who say they are less likely to enlist might experience no change in intentions once a policy change actually occurs. The fact that responses differ somewhat across the two surveys (as shown further below), despite the fact that the surveys were specifically designed to measure a similar set of attitudes, also hints at the possibility that individuals may have difficulty anticipating their response to a policy change. Second, this approach implicitly redistributes the probability mass of individuals who change propensity evenly across the observed distribution above or below their current value, so that under the new policy an individual will come to resemble a representative or average person from the population who has higher or lower propensity. One might

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[7]   In actuality, the individuals within a particular response category do not share the same $p$, but rather each individual has his or her own value of $p$, and the values for the people within a particular category simply average to the value of $p$ given in the table. However, without additional information, one can go no further in characterizing $f(p)$ than the simple four-element pointwise distribution captured in the table. In the limit, as the number of response categories in the survey increases, one could in theory fully characterize the $f(p)$ distribution.

make alternative assumptions regarding the magnitude of the change in probability following a policy shift, in which case different numerical estimates would result.[8]

Table 6.A.1 summarizes the approach we use to estimate the enlistment rate after repeal of DADT. More specifically, for each respondent in each survey (ages 15 to 24), we assign a new intention level based on the individual's joint response to the intention and DADT questions, assuming the distribution of intentions in the data. For example, if a respondent says that he or she would experience no change in enlistment intentions under a repeal of DADT, we assign him or her to the same intention level as expressed in the intentions question (as shown in the column labeled "No Change"). Thus, a respondent who says he or she would "probably" enlist (or P) and would not change this intention if DADT were repealed is assigned P. On the other hand, if such a respondent says he or she is more likely to enlist, we assign the person to the next higher category (D for "definitely enlist"). If the person says he or she is less likely to enlist, we assign the person to the lower intention categories (PN and DN) with probabilities based on the intention proportions observed in the spring and summer 2010 data. Similarly, someone who would probably not enlist (PN) and who says he or she would be less likely to enlist is assigned DN (definitely not enlist); a person who would probably not enlist (PN) who said he or she would be more likely to enlist if DADT were repealed is assigned to the higher intention categories (P and D) using probabili-

**Table 6.A.1**
**Assignment Method for Estimating the Post-DADT Enlistment Rate if DADT Were Repealed**

|  | More Likely | No Change | Less Likely |
| --- | --- | --- | --- |
| Definitely (D) | Assume uniform distribution of intention, above probability of D | D | Assign to P, PN, and DN with probabilities observed in data |
| Probably (P) | D | P | Assign to PN and DN with probabilities observed in data |
| Probably not (PN) | Assign to P and D with probabilities observed in data | PN | DN |
| Definitely not (DN) | Assign to PN, P, and D with probabilities observed in data | DN | Assume uniform distribution of intention, below probability of DN |

NOTES: Each survey respondent is assigned to a new intention level based on the joint responses to the survey intention question (first column) and to the DADT question (top row). The "More Likely" category includes respondents who responded "more likely" and "probably more likely" to the DADT question. The "Less Likely" category includes respondents who responded "less likely" and "probably less likely" to the DADT question.

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[8]   For example, if individuals exhibit considerable inertia in reacting to policy changes, one might argue that the probability of enlistment would increase or decrease by only a small amount, such as 1 percentage point, following a policy change. Under this assumption, the calculated effects of the repeal would be more modest.

ties for these categories observed in the data. Likewise, someone who would definitely enlist (D) and who says he or she would be less likely to enlist is assigned to the lower intention categories in proportion to the probabilities observed in the data.

Because we lack data on the character of $f(p)$ when $p > 0.27$ and when $p < 0.02$ (since no intention categories feature probabilities of service above or below these levels), we must make further assumptions to calculate the expected probability of service for individuals in the highest propensity category who state that they would be more likely to enlist following a policy change and those in the lowest category who state that they would become less likely to enlist following a policy change. In particular, if respondents in the topmost category state that they are more likely to enlist following a policy change, we assume a uniform distribution of intention to enlist above $p > 0.27$, which has the effect of assigning an expected probability of service of 0.63 for such individuals. Analogously, assuming a uniform distribution below 0.02 yields an expected probability of service for the lowest category of 0.01.

Applying the approach described above to the spring 2010 survey data yields an estimated 4.44 enlistments per 100 young adults, or a 7-percent decline relative to the baseline enlistment rate of 4.75. In the summer 2010 survey, applying this approach generates an increase in the enlistment rate to 4.94 per 100, a 4-percent increase. The fact that in this latter survey the overall enlistment rate is predicted to rise even when more survey respondents report negative effects than positive effects of repealing DADT (see Table 6.3) may appear counterintuitive. This pattern arises because of the asymmetric, skewed distribution of propensities; because the modal respondent has a low propensity to enlist to begin with, a downward adjustment in enlistment intentions has a small effect on his or her overall enlistment probability, whereas there is more scope for improvement in the upward direction.

We can also compute bounds on the change in enlistments resulting from the policy change by making the most-extreme possible behavioral assumptions that remain consistent with the survey responses and then calculating the implied change in enlistments under those assumptions. In this case, our choice of assumptions is not made in order to realistically capture how people would respond to the policy but rather to demonstrate that, even under wildly optimistic or pessimistic assumptions about how the policy might affect those who indicate they are responsive to it, the survey data still place constraints on how large the aggregate impact of the policy would be. In one extreme case, we might assume that those who report that the policy would increase their willingness to serve would serve with certainty ($p = 1$) following a policy change and that those who report that the policy would negatively affect their willingness to enlist would lower their probabilities so slightly as to be essentially unchanged; in this case the spring survey responses predict 9.3 enlistments per 100 young adults, or a 95-percent increase in enlistments following the policy change. At the other extreme, we might assume that anyone who reports a lower likelihood of service following a repeal would fail to serve with certainty ($p = 0$), while those who

report a higher probability of service would exhibit essentially no change, in which case the policy would decrease enlistment rates to 3.6 per 100 based on the spring survey, a 25-percent decrease. For the summer 2010 survey, the corresponding extreme bounds estimates are 12.9 per 100 (270-percent increase) and 3.7 per 100 (23-percent decrease). Thus, a decrease in enlistments of more than 25 percent would be inconsistent with the data from both surveys, regardless of how much one believes individuals might shift their willingness to enlist following a policy change. While a 25-percent drop is admittedly a fairly sizable effect, we note that even in this unrealistically extreme case, the implied effect of a policy change on enlistments does not go beyond what prior research suggests can be remedied with such resources as recruiters and bonuses, nor does it lie beyond the scope of enlistment behavior that has been observed in the recent past. For example, overall youth propensity dropped by roughly 25 percent between 1997 and 2007, simply as a result of organic changes in youth attitudes and eligibility.

In our view, given our uncertainty about the latent distribution of intentions, it seems most plausible and sensible to assume an *f(p)* distribution close to what we actually observe in the data. For that reason, we consider our estimates suggesting modest positive or negative effects of the policy to be the most reasonable ones, though we caution that these estimates must be interpreted as rough, given the uncertainty.

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# Health Implications[1]

## Overview

Some have argued that repeal of DADT would attract greater numbers of gay individuals to military service, thereby increasing the prevalence of the human immunodeficiency virus (HIV) and reducing readiness. In Chapter Four, we noted that gay and bisexual men are already serving at rates generally representative of their numbers in the civilian population, while lesbians and bisexual women are overrepresented in the military. These data may indicate that if DADT has been a deterrent to service, it has not been a major one, and thus that repeal would have no major impact on the number of gay people in the military. But we also detailed in that chapter some of the social and psychological difficulties caused by the need to conceal a gay or bisexual orientation—difficulties that many gay men and lesbians may wish to avoid and that may in turn cause them not to serve in the military. Thus, it seems equally plausible that more gay people would enter the military if the DADT policy were no longer in place.

In this chapter, we describe some of the health implications that might accompany a hypothetical increase in the percentage of gay service members. We also consider how DADT and its repeal might affect the health of military personnel even if the number of gay service members were unchanged. In RAND's 1993 report, our discussion of health issues focused on HIV/acquired immunodeficiency syndrome (AIDS). Here we update that discussion with a review of the current science of HIV epidemiology, testing, and treatment. We also review evidence concerning mental health, suicide, and substance use among gay people.

Based on our review of DoD policy and the scientific evidence published since 1993, we find that

- HIV is a chronic, controllable medical condition that does not usually limit health in ways likely to affect military service.

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[1]   This chapter was prepared by Rebecca L. Collins, Michael S. Pollard, Steven M. Asch, and Nicole K. Eberhart.

- Currently, the percentage of individuals in the military diagnosed annually with new cases of HIV infection is comparable to the percentage in the general U.S. population.
- DoD testing policies limit the prevalence of HIV among service personnel by prohibiting accession among those infected, but transmission of HIV might be reduced with more frequent (i.e., annual) testing of the approximately 30 percent of service members who engage in high-risk sex.
- In the general population, men who have sex with men are a particularly high-risk group for HIV infection; certain demographic subgroups that are overrepresented in the military (e.g., blacks, youth) are also at particularly high risk for HIV.
- Poor mental health, substance use, and suicide are more common among gay men, lesbians, and bisexuals compared with heterosexuals and more common among lesbian and bisexual women compared with gay and bisexual men.
- If gay service members were allowed to acknowledge their sexual orientation, the stresses and feelings of stigmatization might be reduced, perhaps also reducing substance use and mental disorder.

## Study Approach

The science of HIV—its epidemiology, testing, and treatment—has advanced substantially since 1993. The advent of highly effective antiretroviral therapy (ART) transformed HIV from a commonly fatal disease to a chronic controllable condition, like diabetes or congestive heart failure. Guidelines for HIV testing have also changed, and rapid HIV antibody testing has made highly accurate testing more convenient and accessible. HIV transmission can be dramatically reduced with testing and treatment, and the emphasis in prevention has expanded from a focus on condom use during vaginal and anal sex to recognize this fact, as well as the critical roles of the selection and timing of sexual partners in determining rates of new infection.

In addition, many more studies have been published that examine mental health issues, substance use, and suicide among gay individuals relative to the heterosexual population. These studies make possible some estimation of how the DADT policy and its repeal could affect rates of these problems among service members.

We reviewed the literature published since 1993 focused on the topics of HIV infection, mental health, suicide, and substance use and their associations with sexual orientation. We know of no published studies of these issues in military samples, so we necessarily discuss what is known about the general population of gay men, lesbians, and bisexuals regarding these issues. However, where possible and relevant, we report other military statistics (i.e., those collected without regard to sexual orientation) as important background for interpreting this information.

Our approach to identifying relevant literature for our review mirrors that taken in Chapter Four. Briefly, our criteria include

- sampling methods that use probability samples rather than convenience samples. Typically, these studies are nationally representative of some population (e.g., adolescents or young adults)
- survey items that are objective and concrete, providing both the respondent and the researcher with a clear definition of the concept or behavior in question
- sufficient sample sizes to permit statistical analysis
- quality of the documentation of results, including main- and subgroup analysis (i.e., men versus women, by age groups, etc.), use of sampling weights, and acknowledgment of study limitations
- recency—because, all else being equal, more current data reflect the political and social climate in which policy decisions will be made.

Where such evidence does not exist, particularly where studies are based on imperfect measures or convenience samples because of the difficulty of sampling gay people, we include the best available evidence and note limitations of the studies in our discussion. In several cases, recent high quality and comprehensive reviews have been conducted of these issues. Where this is so, we rely heavily on them, summarizing their methods and results, updating them where necessary, and noting any points on which we disagree, rather than duplicating their efforts.

## Key Findings: HIV Treatment, Testing, Incidence, and Prevention

### Overview of HIV Disease

HIV was first isolated in 1984 following an epidemic centered among gay men in the United States (Popovic et al., 1984). The virus infects specific immune cells (i.e., CD4 cells), integrating into their DNA. Immediately after infection, HIV produces flu-like symptoms for a few weeks, during which time the patient is quite infectious. Patients and their clinicians often miss primary infections because of the nonspecific nature of the flu-like symptoms. The flu-like period is followed by a prolonged period of mild or no symptoms as the virus spreads throughout the immune system, during which time the patient is still infectious, though less so than during the primary infection. Eventually the virus damages the immune system to the extent that the host is unable to resist opportunistic infections and developing cancers. These infections and cancers can cause severe suffering and disability; untreated, the disease typically results in death about ten years after infection, more or less.

AIDS results from the damage to the immune system caused by HIV and is defined as having evidence of a severely compromised immune system by blood test

(CD4 cells <200/μL) or having had one of several specified opportunistic infections indicating such compromise (Moore and Chaisson, 1996).

**Treatment**

The HIV virus integrates itself into the immune cell's genome, making eradication nearly impossible. Thus, there are no current or expected methods of curing HIV/AIDS. However, the advent of highly effective ART transformed HIV from a commonly fatal disease to a chronic controllable condition. ART controls viral replication as measured by viral load, restores immune function as measured by the number of circulating CD4 cells, and improves health in both civilian and military populations (Collaboration H-C, 2010; Marconi et al., 2010). When patients treated with ART start and adhere to therapy promptly, their expected longevity approaches that of age-matched controls (Antiretroviral Therapy Cohort Collaboration, 2009).

There are now 25 approved drugs for treating HIV. Drug therapy is recommended once immune function shows modest deterioration (CD4 <350/μL or evidence of opportunistic infection); deferring treatment beyond that point reduces subsequent therapeutic effectiveness (Paterson et al., 2002). For example, one study estimated that HIV survival is about 11 years longer when treatment is started at about this point rather than waiting until the CD4 count is 87 cells per μL (Moore, Keruly, and Bartlett, 2008).

In order for ART to be effective, patients usually require three drugs, and they must adhere closely to the treatment regimen. Missing even a few doses significantly impairs the drugs' effect and promotes resistance to therapy even if it is properly resumed (Bangsberg, Kroetz, and Deeks, 2007; Paterson et al., 2002; Rosenblum et al., 2009). For that reason, initial regimens now commonly use a single once-daily combination pill to promote adherence to the recommended dosage and timing (Parienti et al., 2009).

The commonly used drugs can have side effects, but almost all patients can tolerate at least one effective regimen, and most recently infected patients feel healthy while taking them. Inflammation of the pancreas, high cholesterol and blood sugar, and kidney disease are the most serious side effects of common medications (Carr and Cooper, 2000). Even though treatment improves overall quality of life for HIV patients, they still have decreased quality of life compared to the uninfected population (Hays et al., 2000). The preponderance of the disability associated with treated HIV occurs late in the course of treatment, either the result of chronic inflammation (e.g., heart disease) or suboptimal immune function (e.g., cognitive decline, cancers).

In summary, although strict adherence to ART for the long term is necessary, and there are serious side effects, its availability has meant that most people living with HIV function well and do so for many years. Thus, military service is not likely to be substantially impaired by infection with HIV for most individuals.

**Testing**

Diagnosing HIV disease need not depend on detecting symptoms; indeed, diagnosis at the relatively late stage of the disease when symptoms are manifest greatly reduces treatment effectiveness compared with the effectiveness of treatment following early diagnosis. A blood test for immunologic antibody reaction to the virus is widely available and highly accurate once the disease is established (approximately six months after initial infection). Because the antibody reaction takes some time, patients early in the course of their disease do not test positive even though they are infected. To be certain that they are free from infection, individuals who test negative need to be tested again after six months and abstain from risky behavior during this "window period." Physicians may order tests for the virus itself rather than for antibodies. Such tests are accurate during the window. However, they are expensive and less widely available and are not in standard use (Mylonakis et al., 2000). Over the past few decades, CDC has revised its guidelines for HIV testing in health care settings several times, and testing recommendations have shifted substantially. The most recent CDC guidelines were issued in 2006, based on a review of the HIV epidemiological and treatment literature and input from a variety of experts and stakeholders. Among other recommendations, the guidelines direct that all adults and adolescents seen in health care settings should be tested for HIV if they have not previously had a test. No separate consent should be required, though the patient should be informed about the intent to test, and a test should not be conducted if it is declined by the patient (i.e., universal voluntary, or "opt-out," testing; Branson et al., 2002).

These new guidelines were based in part on data suggesting that risk-based testing (testing only those who tell their doctors about behavior that puts them at high risk for infection) has failed to detect large numbers of cases (Chen et al., 1998; Jenkins et al., 2006; Klein et al., 2003). The new policy also reflects the success of universal HIV screening (i.e., testing of all individuals regardless of risk factors) in two populations: blood donors (Dodd, Notari, and Stramer, 2002) and pregnant women (Cooper et al., 2002; Panel on Treatment of HIV-Infected Pregnant Women and Prevention of Perinatal Transmission, 2010). This testing almost completely eliminated HIV transmission from blood transfusion and transmission from mothers to newborns in the United States.

Currently, DoD directs that all personnel be screened for HIV at accession (DoD, 2006). This universal testing policy effectively limits the prevalence of HIV (i.e., ongoing cases of HIV disease) in the military: In 2008, 4.9 per 10,000 applicants for service tested positive for HIV and were excluded from entry. Thus, the number of individuals who enter service with HIV infection is very low—it is limited to those who have been infected but do not yet test positive for the virus because they have not generated enough antibodies to be detected by standard tests.

DoD also requires that active duty personnel be retested "no more or less than approximately every two years unless clinically indicated" (DoD, 2006) and within

two years of deployment (Armed Forces Epidemiological Board, 2002). The goals of the 2006 directive include standardizing the testing interval across the services and ensuring early detection and treatment of HIV while taking into consideration the cost of conducting unnecessary tests. The directive specifies a two-year wait between HIV tests. However, because testing is also conducted as a result of clinical indicators, diagnosis of another sexually transmitted infection, entry into substance use treatment, personal request, or other reasons (Armed Forces Epidemiological Board, 2002), testing appears to be more frequent in practice (AFHSC, 2006a; Silverberg, Brundage, and Rubertone, 2003). A recent study of service members deployed to southwest Asia found that 90 percent had an HIV test within the year prior to their deployment, and 98 percent met the DoD test-within-two-years requirement (AFHSC, 2006b).

Since RAND's 1993 report, rapid HIV antibody testing has become available. Although perhaps not quite as accurate as traditional testing, HIV rapid testing can be much more convenient. It produces a positive test when the antibodies for the virus are present more than 99.6 percent of the time; false positives (incorrect positive tests) occur less than 0.3 percent of the time (Branson, 2007). Saliva samples can be used instead of blood, facilitating sample collection, and can produce results in as little as 20 minutes without on-site laboratory facilities.

The most common use of rapid HIV testing in civilian life is the testing of patients after health care personnel have inadvertently been exposed to a patient's blood (Bogart et al., 2008). Rapid testing may prove useful after military field blood exposures. Although the incident rate of HIV in the armed services makes it highly unlikely that medical personnel would be exposed to HIV-infected blood in treating a service member, operational missions overseas involving care for non-U.S. military populations in areas with high HIV prevalence might benefit from use of rapid tests (AFHSC, 2008). Treatment with ART after a known or suspected exposure to infected bodily fluids effectively decreases the chances of developing subsequent chronic HIV infection. However, treatment must be administered within hours of exposure (Landovitz and Currier, 2009).

### Incidence

Incidence is the number of new cases of an illness, in this case HIV, that occur in a given period of time, typically one year. There is no way to directly measure new cases of HIV: Many persons who become infected will not be tested, and many are not tested for many years following infection. However, mathematical modeling, together with newly developed serum assays that differentiate long-standing disease from new infections, can be used to estimate annual HIV incidence (new cases of HIV infection). A groundbreaking report using this technique estimates annual incidence in the general U.S. population at 2.3 per 10,000 (Hall et al., 2008). This means that in a given year, for every 10,000 people in the United States, 2.3 will be infected with HIV. The study also indicates that rates of incident HIV in the United States have risen slightly since

RAND's 1993 report. Rates reached a low point in the early 1990s, increased in the mid-1990s, slightly declined five years later, and have been stable since (Hall et al., 2008). Figure 7.1 illustrates this trend.

Incident HIV rates among military personnel are reportedly 2 per 10,000 (Gilmore, 2004). The similarity in rates between the military and the general population actually indicates *low* rates of infection among service members, given the demographic makeup of the military population—that is, groups at high risk for HIV (such as blacks and young people) constitute a substantial percentage of military personnel.

The groups with the highest rates of new infections in the United States are currently men who have sex with men, blacks, and young people (Fenton, 2007; Hall et al., 2008). Women who have sex only with women are at minimal risk for HIV infection; there are no documented cases of female-to-female sexual transmission in the United States, although such transmission is theoretically possible (CDC, 2006). Men who have sex with men have accounted for the majority of cases of HIV infection for most of the last three decades. After declining dramatically and reaching a low in the early 1990s, HIV incidence among this group has been increasing steadily and currently accounts for about 53 percent of new infections (Hall et al., 2008). This time trend is illustrated in Figure 7.2.

As we estimate in Chapter Four, about 6 percent of men have a history of same-sex sexual activity, representing about 3 percent of the U.S. population (because men

**Figure 7.1**
**Estimated New HIV Infections, 50 U.S. States and the District of Columbia, 1977–2006**
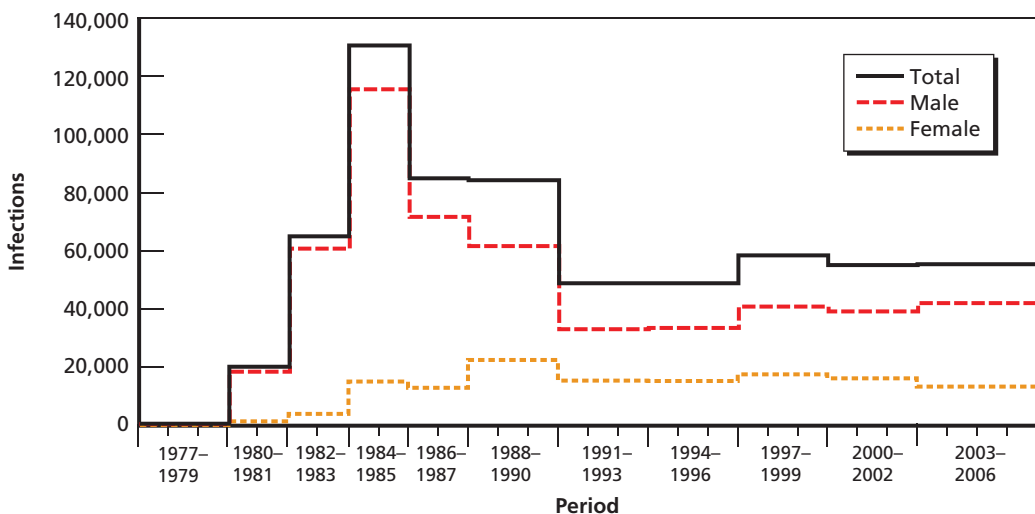


SOURCE: Hall et al., 2008, Figure 1. Copyright American Medical Association. All rights reserved. Used with permission.
NOTE: Tick marks denote beginning and ending of a year. The model specified periods within which the number of HIV infections was assumed to be approximately constant.

**Figure 7.2**
**Estimated New HIV Infections by Transmission Category, 50 U.S. States and the District of Columbia, 1977–2006**
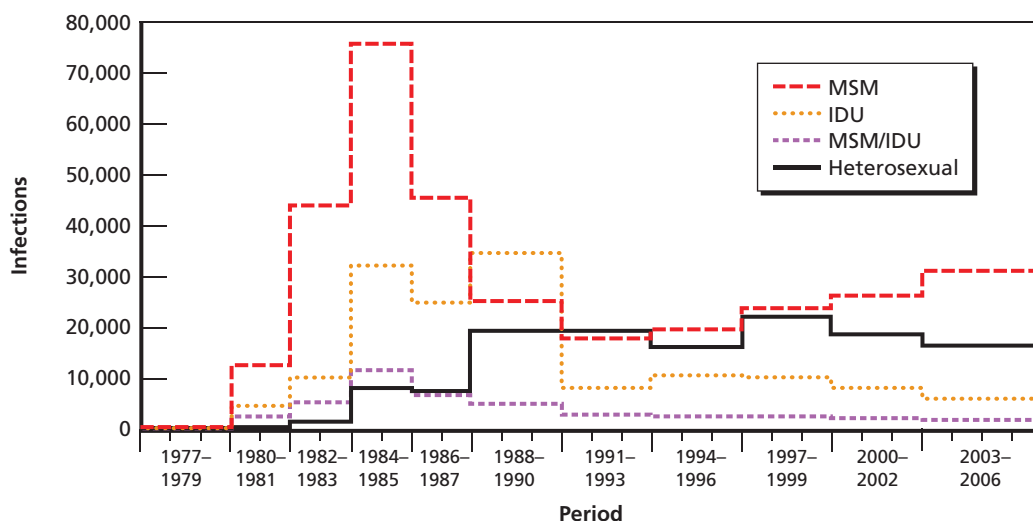


SOURCE: Hall et al., 2008, Figure 2. Copyright American Medical Association. All rights reserved. Used with permission.
NOTE: Tick marks denote beginning and ending of a year. The model specified periods within which the number of HIV infections was assumed to be approximately constant. MSM indicates men who have sex with men; IDU indicates injection drug use.

**RAND** *MG1056-7.2*

are only about half of the total population). Thus, the incidence of HIV is 17 to 18 times higher among men who have sex with men than would be expected if there were *not* differential risk in this group (53/3=17.67). The incidence of HIV attributed to sexual contact between two women, as noted above, approaches zero. Though discussion of military policy toward gay service members often involves reference to gay men's relatively high rate of HIV infection, the very low risk among lesbians is seldom noted but is clearly of equal relevance.

Neither gay men nor lesbians are likely to substantially influence incident rates of HIV in the military. Although gay men are at substantially higher risk of HIV infection, they make up a small percentage of military personnel (5.1 percent of military men, or about 61,000 active-duty personnel; see Chapter Four). Women who have ever had sex with another woman make up a group of almost equal size (27.5 percent of military women, or about 54,000 active-duty personnel, see Chapter Four). When the higher risk among men who have sex with men is combined with the lower risk among women, it can be concluded that the risk of HIV associated with same-sex behavior is at most 10 times higher than the risk overall and affects approximately 115,000 individuals. By way of comparison, blacks, another group at high risk for HIV infection, comprise about 13 percent of the U.S. population and account for 45 percent of new

HIV diagnoses (see Figure 7.3; Hall et al., 2008). Thus, HIV rates in the United States are 3.46 times higher than chance among blacks, who make up about 17 percent of the active-duty component and 15 percent of the reserve component, or 230,533 individuals (DoD, 2008).

**Figure 7.3**
**Estimated New HIV Infections by Race/Ethnicity, 50 U.S. States and the District of Columbia, 1977–2006**
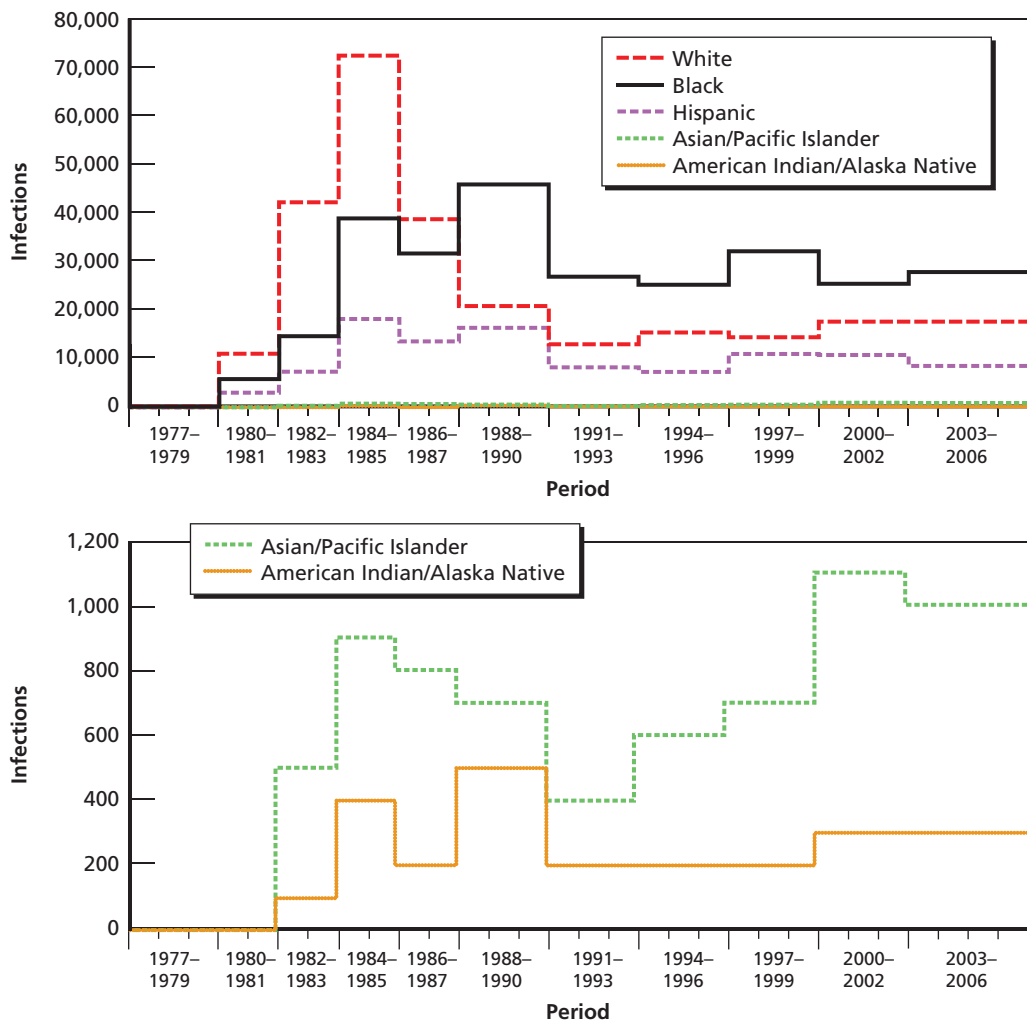
NOTE: Tick marks denote beginning and ending of a year. The model specified periods within which the number of HIV infections was assumed to be approximately constant. The lower graph provides a magnified view of groups with Y-axis values in the range of 0–1,200.
RAND *MG1056-7.3*

These calculations depend on the tenuous assumption that relative rates of infection for various groups are the same within the military as in the general population. But it is possible that men with same-sex sexual experience in their lifetimes refrain from such behavior during service or (during service) engage in relatively little risky behavior (e.g., unprotected anal sex) even if sexually active with other men. Likewise, rates among blacks may be different in the military if behaviors responsible for this risk are different among service members versus civilians. Data from the U.S. Army covering the period from 1986 to 2003 indicate a rate of infection among blacks (3.4/10,000) that is only 2.27 times higher than the overall rate for Army personnel in the same period (1.5/10,000; Bautista et al., 2006)—less than the relative risk observed for blacks in the general U.S. population. We could not identify comparable data for the military as a whole, and there are no data available by sexual orientation because of DADT. However, these Army data may indicate differential relative risk for these subpopulations among military personnel versus civilians.

Another weakness in our estimates of the infection risk for various military subgroups stems from our reliance on percentages of men and women with any history of same-sex behavior. Not all men who have ever had sex with men will continue to engage in same-sex behavior, so we overestimate their risk. At the same time, many women who have sex with women will not engage exclusively in such behavior during their service and may be exposed to infection via heterosexual contact, resulting in an underestimation of their risk. Thus, the numbers cited above are ballpark estimates against which to compare risks for other groups, such as blacks and young people. Nonetheless, they indicate that the absolute numbers of new HIV cases that might be attributable to a hypothetical increase in gay personnel are small compared to the numbers attributable to other demographic variables, such as race and age. Persons under the age of 35 account for about 40 percent of incident HIV.

**HIV Prevention**

Given the military's policy of screening all personnel for HIV before accession, very few individuals enter the military with HIV. However, some service members will contract the virus after accession. Current HIV incident rates average about 2 per 10,000 and range from 1.4 to 4.3 depending on the specific service, with the highest rate observed among Army Reserve personnel and the lowest among National Guard members, although the small number of tests in this latter group makes this estimate unstable (AFHSC, 2009).

Incidence rates of HIV are associated with a number of factors, and it is not possible to conclusively compare military to civilian rates without adjusting for demographics (e.g., race, gender, economic status) and other factors. However, without correction, incidence of HIV among military personnel is approximately the same as in the U.S. general population (estimated as 2.3 per 10,000 for 2006; Hall et al., 2008).

Thus, HIV prevention is as valid a concern for the military population as for the general U.S. population.

At this time, the vast majority of HIV infections in the general population are attributable to sexual contact (see Figure 7.2). Condoms are a highly effective way to prevent sexually transmitted infections (Warner et al., 2006) but often are not used. In a national sample of men who have sex with men, 34 percent reported having unprotected sex with a casual male partner (someone not their primary sexual partner) in the 12 months prior to the survey (Sanchez et al., 2006). In 2008, the Department of Defense Survey of Health Related Behaviors Among Active Duty Military Personnel found that among unmarried sexually active service members, only 44 percent (46 percent of men and 35 percent of women) used a condom at last intercourse (Bray et al., 2009). This number should not be compared to the U.S. rate in casual relationships among men who have sex with men because the reference period is shorter (last intercourse instead of last 12 months) and because it may include use of condoms in committed relationships, which tends to be less frequent (Sanchez et al., 2006). But it does indicate that substantial numbers of service members are at risk for contracting HIV and other sexually transmitted infections through unprotected intercourse.

Several interventions have been shown to increase condom use in the general population (CDC, 2001; Kirby, Laris, and Rolleri, 2007), and we found one such intervention that had been evaluated and found effective among active-duty military personnel (Boyer et al., 2001). Most effective interventions are based on small group or individual counseling efforts to alter attitudes, beliefs, and skills associated with condom use or other risky sexual behaviors (CDC, 2001; Kirby, Laris, and Rolleri, 2007). These approaches reduce risk behavior by 20–40 percent (Crepaz et al., 2006), but they reach limited numbers of individuals (Sanchez et al., 2006). Thus, new approaches to prevention have been sought.

One such model of prevention is "test and treat" (Dieffenbach and Fauci, 2009). The test and treat approach is built on two research findings: substantial reduction of virus in the bloodstream of HIV-infected individuals who receive ART and estimates that 68 percent of HIV-positive individuals reduce their risk behavior after learning of their HIV-positive status (Marks and Crepaz, 2006).

The test and treat approach stems also from recognition that large numbers of persons living with HIV are unaware of their infection. In one study of individuals testing positive for HIV in 2004, about 25 percent were unaware of their infection (Glynn and Rhodes, 2005). Studies using other populations estimate this percentage to be as high as 48 percent (CDC, 2005). Some of these individuals are likely to have transmitted HIV unknowingly (Marks et al., 2005). Prior U.S. policy promoted detection of HIV by testing those who report risky sexual or drug use behavior; however, studies also indicate that many of those who eventually test positive for HIV made multiple visits to health care providers during the time they were infected but were not tested (Liddicoat et al., 2004).

Such results have led to the conclusion that risk-based testing is inadequate. The alternative—universal voluntary testing for HIV infection accompanied by immediate administration of ART—has been estimated to reduce HIV incidence close to the point of eliminating transmission altogether (Granich et al., 2009), although the mathematical modeling on which this conclusion is based makes a number of assumptions that may not hold, including that repeated negative test results will not increase risk behavior among those receiving them.

The test and treat approach to prevention is one part of the rationale for CDC's revised testing guidelines. In addition to the universal-testing guideline noted above (which the military essentially follows by testing upon accession), CDC suggests that persons at high risk for HIV infection should be tested at least annually. No CDC recommendation for testing is linked to sexual orientation. Both gay people and heterosexuals who have had more than one sex partner since their most recent test are defined as high-risk.

We know of no data reporting the percentage of military personnel with multiple sex partners in a given period. Thus, we analyzed data from the National Longitudinal Study of Adolescent Health (Add Health; see Chapter Four for details of the data set and the variables used in our analyses). Add Health collected complete sexual relationship histories for respondents; start and end dates of all relationships involving oral, vaginal, or anal sex were reported.

Using Wave 4 of the data, collected in 2008 when respondents were ages 24–32, we found that 30 percent of young adults in the United States had two or more partners in the past year. The percentage of men currently serving in the military who had multiple sex partners (31.6) did not differ statistically from the percentage of civilian men who had multiple sex partners (35.8), nor did military women (20.0 percent) differ from civilian women (24.0 percent). Based on this analysis, we estimate that approximately 30 percent of military personnel meet CDC criteria for annual HIV testing based on high-risk behavior. Since the military is directed to conduct repeat testing for active duty members "no more or less than approximately every two years," it may not be meeting this CDC recommendation (DoD, 2006), although, as we have noted, testing appears to occur more often in practice (AFHSC, 2006b).

Our analysis also indicates that gay men, lesbians, and bisexuals are more likely to fall into CDC's high-risk category. Table 7.1 shows the overall proportion of each self-identified sexual orientation group in the Add Health sample that had two or more partners and also shows these estimates by gender. The estimates are for all survey participants, as the military sample is too small for these calculations to be made accurately. Self-described "bisexual/homosexual" individuals are significantly more likely to fall in the high-risk category than "100 percent heterosexual" men and women. However, 34 percent of "100 percent heterosexual" men and 20 percent of "100 per-

**Table 7.1**
**High-Risk Sexual Behavior (Two or More Partners in the Past
12 Months) by Gender and Sexual Orientation**

| Sexual Orientation | Overall (%) | Males (%) | Females (%) |
|---|---|---|---|
| 100% heterosexual | 27.8 | 34.3 | 20.0 |
| Mostly heterosexual | 37.2 | 37.2 | 35.5 |
| Bisexual/homosexual | 58.0 | 71.9 | 48.7 |
| Total | 30.0 | 35.9 | 24.0 |

SOURCE: Add Health.

cent heterosexual" women also have multiple partners in a given year.[2] This reinforces the importance of targeting those with multiple partners for testing rather than basing testing on sexual orientation.

The fact that CDC views having two partners in a given period as the key indicator of sexual risk reflects recognition among those studying the epidemiology of HIV that concurrent partnerships can greatly affect the spread of HIV (Morris and Kretzschmar, 1995, 1997; O'Byrne, Holmes, and Woodend, 2008; Watts and May, 1992). This is because of the way that HIV is spread through "sexual networks." A sexual network is a social group that is defined by sexual relationships between some of its members, and the links in a sexual network are the sexual partnerships between network members. For example, a man who has two sexual partners in a year is linked to these two individuals, as well as to all of the partners that these two individuals have and, in turn, all of their partners, and so forth. The pattern of links, or *network connectivity*, describes the number of links or connections between partners in a sexual network and is a function of rates and sequencing of sexual partnership formation and dissolution as well as demographic, social, and geographic boundaries that affect sources of sexual partnerships.

There are various patterns indicating network connectivity. One is "high-activity" or "super-spreader" groups of individuals with large numbers of sexual partners (Chen et al., 2007). A network with this kind of connectivity has many total links between its members as a result of one or more subgroups of its members having sex with (i.e., being linked to) a large number of people. Figure 7.4 depicts a high connectivity network in which one "super spreader" with HIV is linked to many different sexual partners.

However, highly sexually active individuals are not necessary for network connectivity; high network connectivity can also result from *concurrent partnership*. Concurrent sexual partnerships are those that overlap in time—e.g., one sexual partnership

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[2]    The discrepancy in high-risk sexual behavior between 100 percent heterosexual groups and other groups may be attenuated if married couples are excluded from the heterosexual category. We include married couples in our estimates because they cannot be assumed to be monogamous.

**Figure 7.4**
**Example of a High-Connectivity Network in Which One "Super Spreader" Is
Linked to Many Different Sexual Partners**
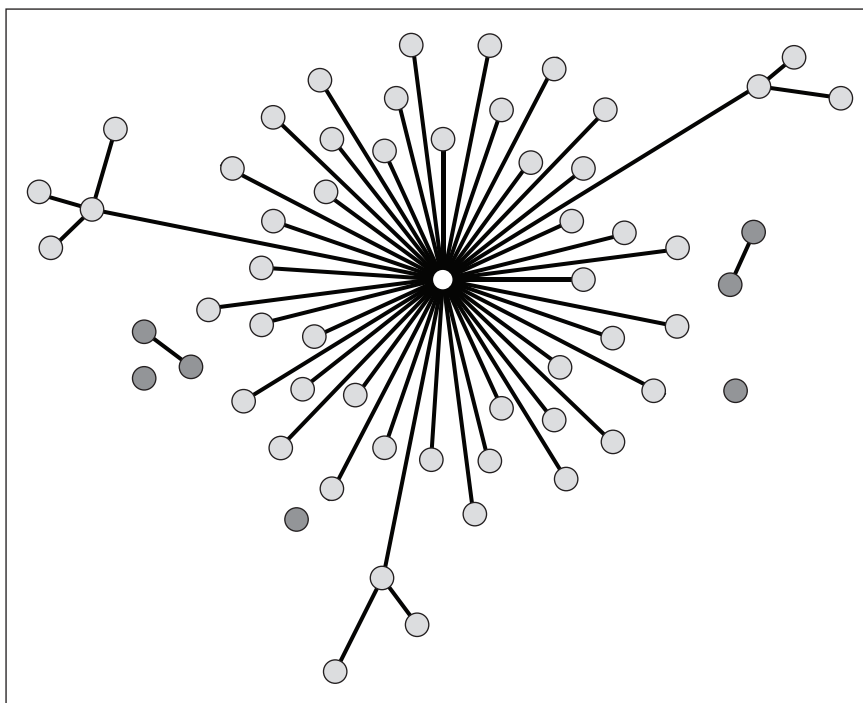
begins before another one has concluded. Modeling studies have provided evidence
that low-degree concurrency (i.e., concurrency of a small number of partners) can yield
high network connectivity that is similar in magnitude to the connectivity generated
by high-activity or super-spreader groups (Moody, 2002). Concurrent partnerships
lead to a sexual network in which a large number of individuals are linked in a sparse
web. The large number of links (high connectivity) is a result of many individuals
having a small number of partners (i.e., one, two, or three), some of whom are the
same individuals (thus linking them indirectly), rather than a few individuals directly
linked to many partners. Concurrent partnerships allow faster dissemination of HIV
than sequential partnerships because transmission can occur without the delay associ-
ated with ending one partnership and beginning another (Morris et al., 2009). They
may also increase the speed of dissemination as a result of high infectivity during acute
infection. Someone who has just been infected with HIV has a particularly high prob-
ability of transmitting the virus, and any additional partners (beyond the person from
whom the virus was contracted) are particularly likely to become infected as well.

Figure 7.5 compares monogamy to concurrent sexual partnerships, illustrating
how increased concurrency leads to increased network connectivity (Morris et al.,

2009). In studies employing mathematical modeling to test effects of network factors on the spread of HIV infection, partner concurrency has been found to strongly influence infection rates, even after accounting for such factors as the number of partners and frequency of unprotected sex (Morris and Kretzschmar, 1995; Morris and Kretzschmar, 1997).

Individuals with two or more partners in a short period are at high risk for infection and subsequent transmission because of the risks associated with multiple, and especially with concurrent, partnerships. More frequent military testing for HIV among those with two or more partners in the past year, as recommended by CDC, might result in fewer new infections within the military and the military community (e.g., spouses, girlfriends). The influence on infections among service members, specifically, is dependent on the likelihood that service members with multiple partners have sex with others who are also in the service or with other service members' sexual partners. That is, identifying those infected with HIV, treating them to reduce infectiousness, and informing them of their infection will reduce the likelihood of HIV transmission to future partners. If future partners are largely outside the military community, then there would be little resulting change in military rates of HIV. But if potential future partners would have been from the military community (including other service members or their sexual partners), new cases of HIV in the military are likely to be reduced. This process, known as assortative mating (selection of sexual partners who are similar to oneself on some characteristic) is believed to be responsible for the continuing high rates of HIV among blacks in the United States (Laumann and Youm, 1999; Morris et al., 2009).

**Figure 7.5**
**Sexual Networks and HIV Transmission**
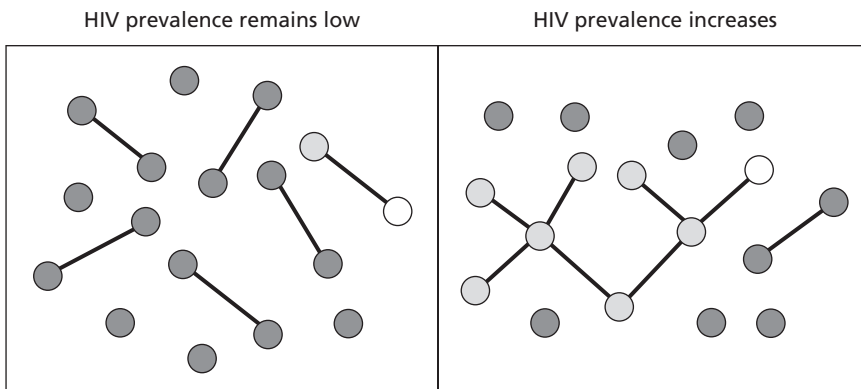


NOTE: White circle = HIV-positive individual; light gray circle = individuals exposed to HIV because of their partnerships; dark gray circle = individuals not exposed to HIV.

**RAND** *MG1056-7.5*

## Key Findings: Mental Health and Suicide Among Gay Men, Lesbians, and Bisexuals

Depression is one of a set of mood disorders. It is characterized by feelings of sadness and loss of interest, as well as a variety of other related symptoms, that extend for a period of at least two weeks and interfere with a person's daily life. Depression is a serious illness and is the number one cause of disability for U.S. adults ages 15–44 (World Health Organization, 2008). Six to 7 percent of U.S. adults are affected by depression annually; 9.5 percent are affected by the broader category of "mood disorder" (Kessler et al., 2005). Anxiety disorders are even more common, affecting 18.1 percent of U.S. adults annually; 3.1 percent of adults have generalized anxiety disorder, a condition within this category that involves exaggerated tension and worry, chronic anxiety, and physical symptoms that, when severe, can interfere with daily activity (Kessler et al., 2005). Anxiety and mood disorders frequently co-occur, and both also tend to co-occur with substance abuse (Kessler et al., 2005).

Surveys of active-duty military personnel indicate that depression is a substantial problem for the military. Just over 20 percent of military personnel report symptoms that indicate *possible* depression and need for clinical evaluation (Bray et al., 2009). Thirteen percent of active-duty military personnel meet probable diagnostic criteria for generalized anxiety disorder (Bray et al., 2006), and the two disorders frequently co-occur.

Major depression is also related to suicide and suicide ideation. Suicide ideation can range from passive thoughts of wanting to be dead to active thoughts of harming or killing oneself (Goldsmith et al., 2002). The annual suicide rate in the U.S. general population is about 0.01 percent (CDC, 2009); 3.7 percent of U.S. adults report having serious thoughts about killing themselves in the past year (SAMHSA, 2009). In comparison, 4.6 percent of active-duty military personnel report seriously considering suicide in the past year (Bray et al., 2009), and the published DoD suicide rate for 2008 was 0.016 percent. Although the percentage of military suicides appears larger than that among civilians, it is actually low after making adjustments for demographic differences (e.g., in gender, age, race/ethnicity) between military personnel and civilians (Ramchand et al., forthcoming). However, the suicide rate among service members is rising, largely as a result of an increase within the Army, where the rate has doubled since 2001. Thus, the gap between the civilian and military populations is closing (Ramchand et al., forthcoming).

A number of studies have tested whether rates of depression and suicide are greater among gay men, lesbians, and bisexuals than among the general population. These studies are of the general population, rather than service personnel. Although we cannot be certain that the rates they document will apply equally to gay military personnel, these studies provide a reasonable starting point for estimating the likelihood and magnitude of differential mental health problems among gay versus heterosexual

service members. In reviewing this research, we rely heavily on a recent systematic review and meta-analysis of the literature conducted by King et al. (2008). Eligibility criteria for this review are consistent with our own. Criteria include publication between 1966 and April 2005, sexual orientation reported either by the respondents themselves and/or by respondent-reported levels of same-sex attraction or behavior, and a concurrent heterosexual comparison group. In selecting articles, King et al. gave preference to studies that used random sampling; however, because obtaining random samples of gay individuals is hampered by participants' reluctance to disclose sexual orientation, and samples often recruit only small numbers of sexual minorities, other methods were also deemed acceptable if studies met the other inclusion criteria. Studies based in clinical or psychological services were excluded (since these often result in biased estimates of disorder).

Based on these criteria, King et al. selected 25 papers for review, all dating between 1997 and 2004. Since the King et al. review, two additional papers have been published that meet that study's criteria (Silenzio et al., 2007; Bostwick et al., 2010). We discuss these two studies following our summary of King et al.'s meta-analysis.

In the King et al. study, the outcomes of interest were defined as (a) a psychiatric disorder according to the International Classification of Diseases or the American Psychiatric Association's Diagnostic and Statistical Manual, (b) score beyond a recognized threshold for psychiatric morbidity on standardized scales, (c) suicide (the intentional taking of one's own life), (d) suicidal ideation (thoughts of taking one's life without acting on them), and (e) deliberate self-harm (intentional poisoning or injury irrespective of the apparent purpose of the act). Fifteen studies assessed suicide attempts or deliberate self-harm. Twelve papers assessed suicidal ideation. Mental disorder was assessed in 11 studies.

Once the final studies were selected, King et al. calculated risk ratios from extracted prevalence data. For prevalence outcomes, effect sizes were calculated as the standardized average difference in scores on the relevant measures between lesbian, gay, and bisexual people and controls. Key findings from the meta-analysis are summarized below.

### Suicide

Studies based on survey data necessarily omit examination of rates of completed suicide, and the methods used to study suicide rates in the general population do not typically allow one to determine the number of suicides among gay, lesbian, and bisexual individuals (since sexual orientation is seldom documented in these data). However, we can learn about suicide attempts and ideation from survey data. Key findings from the King et al. meta-analysis pertaining to suicide are summarized in Table 7.2. These studies indicate that gay men, lesbians, and bisexuals are at higher risk for suicide attempts and suicidal ideation—across studies, they are 2.5 times more likely to report attempting suicide and 2 times more likely to report suicide ideation than are het-

**Table 7.2**
**Gay, Lesbian, and Bisexual Risk Ratios for Suicide and Suicidal Ideation, Versus Heterosexuals**

| | Suicide Attempt (Lifetime) | Suicide Attempt (Past Year) | Deliberate Self-Harm (Lifetime) | Suicide Ideation (Lifetime) | Suicide Ideation (Past Year) |
|---|---|---|---|---|---|
| Lesbian, gay, and bisexual (vs. heterosexual men and women) | 2.47[a] | 2.56[a] | 2.29 | 2.04[a] | 1.71[a] |
| Gay and bisexual men (vs. heterosexual men) | 4.28[a] | 2.52[a] | 2.30 | 2.01[a] | 1.64[a] |
| Lesbian and bisexual women (vs. heterosexual women) | 1.82[a] | 2.45[a] | 1.34[a] | 1.55[a] | 2.31[a] |

SOURCE: Numbers taken from meta-analysis by King et al. (2008).

[a] Significantly different risk from heterosexuals.

erosexual individuals. There is no difference in the likelihood of deliberate self-harm, except for lesbians and bisexual women.

## Mental Disorders

The studies reviewed in King et al. indicate that compared with heterosexuals, lifetime and past 12-month prevalence of depression is twice as high among gay men, lesbians, and bisexuals, while risk for anxiety disorder in a 12-month period is 1.5 times greater among these groups. Key findings from the meta-analysis pertaining to mental disorders are summarized in Table 7.3.

The combined studies included in King et al.'s meta-analysis estimate that 8.2 percent of the heterosexual population report past-year depression; applying the risk ratio equates to 16.8 percent of lesbian, gay, and bisexual individuals reporting past-year depression. Given the numbers of gay, lesbian, and bisexual–identifying men and women whom we estimate were in active-duty service in 2008 (see Chapter Four), this translates to a projected 7,953 cases of past-year depression among gay or bisexual individuals and 113,789 cases among all others. This example makes clear that,

**Table 7.3**
**Gay, Lesbian, and Bisexual Risk Ratios for Mental Disorders, Versus Heterosexuals**

| | Depression (Lifetime) | Depression (Past Year) | Anxiety Disorder (Past Year) |
|---|---|---|---|
| Lesbian, gay, and bisexual (vs. heterosexual men and women) | 2.03[a] | 2.05[a] | 1.54[a] |
| Gay and bisexual men (vs. heterosexual men) | 2.58[a] | 2.41[a] | 1.88[a] |
| Lesbian and bisexual women (vs. heterosexual women) | — | 2.13[a] | 1.66[a] |

SOURCE: Numbers taken from meta-analysis by King et al. (2008).

[a] Significantly different risk from comparison group.

although rates of mental health problems are higher among gay persons, even if the rates of gay and bisexual individuals serving in the military were to double following a repeal of DADT (an extreme projection), the actual number of mental health problems associated with such an increase would be small compared to numbers overall and would be unlikely to have a major effect on readiness.

Since King et al.'s meta-analysis appeared, two additional papers have been published that meet their original study criteria. Silenzio et al. (2007) examined 12-month prevalence of suicidal ideation and attempts, while Bostwick et al. (2010) assessed lifetime and 12-month prevalence of mood and anxiety disorders. The findings of these two additional studies align with those reported in the meta-analysis.

Silenzio et al. (2007) used data from the National Longitudinal Study of Adolescent Health (Add Health; Wave 3, 2001–2002) to assess the 12-month prevalence of suicide attempts and suicidal ideation among a nationally representative sample of 18- to 26-year-olds. Sexual orientation was measured using the respondent's self-identified orientation. Sexual minority respondents reported significantly higher rates of suicidal ideation and suicide attempts than did heterosexual respondents, controlling for age, race, and gender. Sexual minorities were 1.94 times more likely to report suicidal ideation and 1.96 times more likely to report a suicide attempt in the previous 12 months, compared to heterosexuals.

Bostwick et al. (2010) used the 2004–2005 National Epidemiological Survey on Alcohol and Related Conditions to assess lifetime and 12-month prevalence of mood disorders (major depression, dysthymia, mania, and hypomania) and anxiety (panic disorder, social phobia, specific phobia, and generalized anxiety disorder). Sexual orientation was measured both by self-identity and by sexual behavior.

Self-identified lesbians were more likely to report lifetime mood disorders or 12-month anxiety disorder (both about 50 percent more likely), as were self-identified gay and bisexual men (about 150 percent more likely for lifetime and 100 percent more likely for 12-month prevalence).

In terms of sexual behaviors, lifetime disorders were higher for bisexual women (twice as high as for heterosexual women), bisexual men (about 100 percent higher than heterosexual men), and gay men (roughly 50 percent higher). However, women with exclusively same-sex partners were significantly less likely to report any lifetime mood disorder (about 40 percent less likely). Past 12-month mood and anxiety disorders were also twice as high among bisexual women and men.

## Key Findings: Substance Use

Heavy drinking (defined as drinking five or more drinks per typical drinking occasion at least once per week in the prior 30 days) is a major contributor to accidental death and injury in the United States, associated with motor vehicle crashes, poison-

ing, and violent injury (Hingson et al., 2000; Hingson et al., 2005). Approximately 20 percent of service members report heavy alcohol use (Bray and Hourani, 2007). Problem drinking is drinking that poses a risk for negative consequences to oneself or others, that results in physical or mental health problems, or that reflects possible alcohol dependence. In the services, rates of problem drinking range from 24 to 47 percent depending on the service; the rate for all services is 33 percent. The estimate for possible alcohol dependence is 5 percent overall (Bray et al., 2009). Those who have deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom may be at increased risk of problem alcohol use upon return (Hoge, Auchterlonie, and Milliken, 2006; Jacobson et al., 2008).

Historically, the military has been an environment in which tobacco use is accepted and common. Although rates of smoking have decreased substantially over the past three decades, 30 percent of military personnel were current smokers in 2008, and 10 percent were heavy smokers (Bray et al., 2009). These high rates are of concern given the strong links between smoking and major causes of death and disability, including emphysema, bronchitis, chronic airway obstruction, lung and other cancers, and cardiovascular disease (U.S. Department of Health and Human Services, 2004).

In contrast, rates of illicit substance use among military members appear to be low. In 2008, 2 percent of service personnel reported use of illicit drugs (excluding prescription drug misuse) in the past 30 days, compared with 14 percent of civilians (Bray et al., 2009), perhaps due to regular drug screening of service members.

Below, we review recent studies that provide estimates of substance use rates comparing samples of gay and heterosexual individuals. Given the relatively low rates of illicit substance use in the military, we focus our review on drinking and smoking.

**Drinking**

A number of population-based studies examine the relationship between alcohol use and its related problems and sexual orientation. Key findings from some of these studies are highlighted below. Table 7.A.2 in the appendix to this chapter lists all of the studies on drinking that we reviewed.

Across the studies, sexual orientation is variously defined by self-identity, behavior, or both. However, despite variations in the population studied, the sample size, and the measure of sexual orientation used, in general these studies show that, compared with heterosexual women, lesbians and bisexual women are

- more likely to drink alcohol
- more likely to report heavy drinking
- more likely to binge drink
- at higher risk for alcohol dependency (as defined by the *Diagnostic and Statistical Manual of Mental Disorders*)
- more likely to have sought help for alcohol-related problems.

Compared to the general population, lesbian and bisexual women also appear to be particularly heavy drinkers. The 2008 *Monitoring the Future* study indicates that 69.7 percent of individuals ages 19–30 have consumed alcohol in the past 30 days, 67.3 percent of women and 73.1 percent of men (Johnston et al., 2009). Similarly, *Monitoring the Future* reports that the population prevalence of binge drinking during the previous two weeks is 37 percent (30.5 percent for women, 46.5 percent for men) for those ages 19–30.

Table 7.A.1 suggests that the risk of heavy drinking for lesbian and bisexual women is 50 percent higher than the risk for heterosexual women, which ultimately places lesbian and bisexual women's consumption of alcohol well above the population average. Applying a binge drinking risk ratio of 1.5, based on the range appearing in the studies from Table 7.A.1, lesbian and bisexual women's binge drinking again falls substantially above the population average. In contrast, the studies find few differences in alcohol use between gay and bisexual men and heterosexual men; in some cases, gay and bisexual men were found to be more moderate drinkers than heterosexuals but at higher risk for dependency.

Studies measuring sexual orientation in terms of behavior are generally consistent with studies that measure sexual orientation by identity. Studies that have evaluated sexual orientation using both behavior and identity do not clearly indicate whether one measure yields results that differ from those obtained using the other. For example, McCabe et al. (2005) found that, among women, there were differences in heavy episodic drinking when measuring sexual orientation by behavior, but not by identity. In contrast, McCabe et al. (2009) noted that alcohol dependence rates were highest when measuring sexual orientation by identity rather than behavior.

It should also be noted that King et al. (2008) compared alcohol dependency among gay men, lesbians, and bisexuals versus heterosexuals in their meta-analysis. They concluded that, overall, gay and bisexual men and women had a risk of alcohol dependence 2.2 times the risk of heterosexual men and women. The risk for lesbian and bisexual women was four times the risk for heterosexual women; in contrast, the risk for gay and bisexual men was 50 percent higher than for heterosexual men.

**Smoking**

A number of population-based studies examine the relationship between cigarette smoking and sexual orientation. Across the studies, sexual orientation is variously defined by self-identity, behavior, or both. However, despite variations in the population studied, the sample size, and the measure of sexual orientation used, in general these studies show that gay individuals are more likely to smoke than heterosexuals, and bisexuals are more likely to smoke than either group. Among men, associations between sexual orientation and smoking are generally more consistent than are the associations between sexual orientation and drinking.

Studies measuring sexual orientation in terms of behavior are generally consistent with studies that measure sexual orientation by identity. Studies that have evaluated sexual identity using both behavior and identity suggest that sexual identity is a stronger predictor of smoking than sexual behavior (e.g., Marshal et al., 2009; McCabe et al., 2005).

Table 7.A.2 in the appendix lists all of the studies we reviewed on smoking, categorized by the measure of sexual orientation that was used (behavior or identity).

## Summary

Our review of current knowledge concerning HIV infection suggests that

- A policy allowing service members to be open about their sexual orientation is unlikely to have a substantial effect on rates of infection in the military, even if there were increases in the number of gay persons choosing to serve. The military excludes HIV-positive individuals from accession, eliminating the most high-risk individuals from service. In the general population, the rate of infection is higher among men who have sex with men than heterosexuals, but it is substantially lower among women who have sex with women. HIV rates are also high among blacks, who make up a substantial portion of military personnel and a larger percentage than gay men and women.
- Were there to be an increase in HIV infection rates among service members, it would be unlikely to influence medical readiness. This is because (1) rates are currently very low; (2) the infection will be detected early (within two years); and (3) HIV is treatable, and significant disability is unlikely to result for many years among most individuals, given early diagnosis and treatment.

Our review of the literature addressing substance use, mental disorder, and suicide among gay men, lesbians, and bisexuals indicates that

- Gay persons face rates of suicide attempts and suicide ideation, depression, and anxiety disorders that are from 1.5 to two or more times greater than for heterosexuals.
- Alcohol use, binge drinking, and alcohol dependence among lesbians and bisexual women are significantly greater than among heterosexual women; among gay and bisexual men there is an elevated risk of alcohol dependence.
- Sexual minority men and women are more likely to smoke than heterosexuals.

While significant, these elevated rates of substance use and mental disorder are unlikely to substantially affect readiness should more gay individuals choose to serve, given the overall prevalence of mental disorder in the military and the small percent-

ages of gay service members. Indeed, should percentages of gay service members remain stable, a repeal of DADT might be expected to somewhat reduce rates of substance use and mental disorder. The greater prevalence of mental health and related problems among gay people may be attributable to the stresses associated with gay stigma (Bux, 1996), and substance use may serve as a coping strategy (Savin-Williams and Diamond, 2001; Schulenberg and Maggs, 2002). Gay individuals also face increased feelings of loneliness, discrimination, and physical and verbal victimization that may contribute to their substance use (Gonsiorek, 1988; Meyer, 2003; Savin-Williams, 1994). As noted in Chapter Four, the stress of hiding one's sexual orientation may create or further exacerbate mental health problems among gay men, lesbians, and bisexuals and limit the social support that they receive. Were gay service members allowed to acknowledge their sexual orientation, the stresses and feelings of stigmatization might be reduced, perhaps also reducing substance use and mental disorder.

## Appendix

**Table 7.A.1**
**Estimates of Alcohol Use Among Gay Men, Lesbians, and Bisexuals—Risk Ratios by Behavior and Identity, from U.S. Data Sets**

| Year(s) Data Collected | Source | Sample | Measure | Behavior: Female | Behavior: Male |
|---|---|---|---|---|---|
| **Behavior** | | | | | |
| 1996 | Cochran and Mays (2000) | National Household Survey of Drug Abuse (Ages 18+, n=9,714) | Alcohol dependence | Any female sex partners RR: 3.2 vs. only male sex partners | Not significantly different |
| 1996 | Cochran et al. (2000) | National Household Survey of Drug Abuse (Ages 18+, n=9,908) | 1. Any alcohol use past month 2. Binge drink past month 3. Alcohol dependence | 1. Any female sex partners RR: 1.4 vs. only male sex partners 2. Any female sex partners RR: 1.7 vs. only male sex partners 3. Any female sex partners RR: 3.2 vs. only male sex partners | 1. Not significantly different 2. Not significantly different 3. Not significantly different |
| 1990–1992 | Gilman et al. (2001) | National Comorbidity Survey (Ages 15–54, n=8,098) | Alcohol dependence | No significant difference between women who had sex with women in previous five years vs. women who exclusively had sex with men | No significant difference between men who had sex with men in previous five years vs. men who exclusively had sex with women |

**Table 7.A.1—Continued**

| Year(s) Data Collected | Source | Sample | Measure | Behavior: Female | Behavior: Male |
|---|---|---|---|---|---|
| 1999 | Eisenberg and Wechsler (2003) | College Alcohol Study (n = 10,301) | 1. Abstention from alcohol 2. Binge drinking | 1. Bisexuals less likely to abstain than lesbians or heterosexuals (RR: 0.7 vs. heterosexuals); lesbians more likely to abstain (RR: 1.7) 2. Bisexuals more likely to binge drink than lesbians or heterosexuals (RR: 1.4 vs. heterosexuals) | 1. No difference 2. Bisexuals less likely to binge drink than gay individuals or heterosexuals (RR: 0.8); no difference for gay men |
| 2003 | McCabe et al. (2005) | Student Life Survey (Full-time undergraduates at the University of Michigan, n = 9,161) | Binge drinking (4+ drinks in a row for women, 5+ drinks for men) during past 2 weeks | Bisexual RR: 1.1 vs. heterosexuals Lesbians not significantly different | Bisexual RR: 0.7 Gay RR: 0.8 |
| 2001 | Jasinski and Ford (2007) | College Alcohol Study (n = 7,659) | Binge drinking (4+ drinks in a row for women, 5+ drinks for men) during past 2 weeks | Bisexual RR: 1.51 vs. heterosexual Lesbians not significantly different from heterosexuals | Bisexual RR: 0.9 Gay RR: 0.6 (vs. heterosexual) |
| 2004–2005 | McCabe et al. (2009) | National Epidemiologic Survey on Alcohol and Related Conditions (Ages 20+, n = 34,653) | 1. Alcohol dependence 2. Heavy drinking | 1. Bisexual RR: 5.0; lesbian RR: 1.6 (vs. heterosexuals) 2. Bisexual RR: 3.0; lesbian RR: 1.9 | 1. Bisexual RR: 2.1; gay individuals not significantly different from heterosexuals 2. Not significantly different |
| 2002–2006 | Talley, Sher, and Littlefield (2010) | Incoming first-time college students at the University of Missouri-Columbia; interviewed twice a year for four years (n = 2,854) | 1. Longitudinal trajectory of alcohol consumption 2. Longitudinal trajectory of binge drinking | Females and males: 1. Sexual minority associated with consistently higher alcohol use 2. No significant difference from heterosexual binge drinking trajectory | |

**Table 7.A.1—Continued**

| Year(s) Data Collected | Source | Sample | Measure | Behavior: Female | Behavior: Male |
|---|---|---|---|---|---|
| Identity | | | | | |
| 1995 | Garofalo et al. (1998) | Massachusetts Youth Risk Behavior Survey (Grades 9–12, n=4,159) | Any alcohol use during past month | Gay, lesbian, and bisexual RR: 1.69 vs. heterosexuals | |
| 1997 | Diamant et al. (2000) | Los Angeles County Health Survey (Women ages 18+, n=4,661) | 1. Alcohol use during past month (vs. abstention) 2. Heavy drinking (3+ drinks per day) | 1. Bisexual RR: 1.19; lesbians not significantly different from heterosexuals 2. Bisexual RR: 2.19; lesbian RR: 2.23 vs. heterosexuals | |
| 1996 | Gruskin et al. (2001) | Women enrolled in Kaiser Permanente HMO in Northern California (Women <age 50, n=8,113) | 1. Heavy drinking (4+ drinks per episode, or more than 20 drinks per week over the past year) 2. Abstention from alcohol | 1. Bisexual and lesbians ages 20–34 RR: 3.88 vs. heterosexuals 2. Bisexual and lesbians ages 20–34 RR: 0.61 vs. heterosexuals | |
| 2000 | Drabble, Midanik, and Trocki (2005) | National Alcohol Study (Ages 18+, n=7,612) | 1. Alcohol dependence 2. Drunk 2+ times past year 3. Ever sought help for problem related to drinking (e.g., Alcoholics Anonymous or physician) | 1. Bisexual RR: 7.3; lesbian RR: 5.0 2. Bisexual RR: 2.3; lesbian RR: 1.7 3. Bisexual RR: 6.2; lesbian RR: 9.4 | 1. Not significantly different 2. Bisexual not significantly different; gay RR: 1.6 3. Not significantly different |
| 2003 | McCabe et al. (2005) | Student Life Survey (Full-time undergraduates at the University of Michigan, n=9,161) | Binge drinking (4+ drinks in a row for women, 5+ drinks for men) during past 2 weeks | Bisexual RR: 1.2 Lesbians not significantly different from heterosexuals | Bisexual RR: 0.7 Gay RR: 0.8 vs. heterosexuals |
| 1999 | Ziyadeh et al. (2007) | Growing Up Today Study (Ages 12–17, n=15,548) | Any alcohol use during past month | Lesbian and bisexual RR: 2.3 vs. heterosexuals | No significant difference |

**Table 7.A.1—Continued**

| Year(s) Data Collected | Source | Sample | Measure | Behavior: Female | Behavior: Male |
|---|---|---|---|---|---|
| 1995 | Tucker, Ellickson, and Klein (2008) | RAND Adolescent Panel Study (Age 23, n = 1,663) | Any alcohol use during past month | Bisexual RR: 1.13 vs. heterosexuals | |
| 2001–2002 | Wilsnack et al. (2008) | Chicago Health and Life Experiences of Women Study (n = 405) National Study of Health and Life Experiences of Women (Ages 21–70, n = 548) | 1. Abstention from alcohol 2. Heavy episodic drinking (6+ drinks per day) past 12 months 3. Alcohol dependence symptoms past 12 months | 1. Lesbian RR: 0.4 2. Bisexual RR: 1.9; lesbian RR: 2.1 vs. heterosexuals 3. Bisexual RR: 4.0; lesbian RR: 2.3 vs. heterosexuals | |
| 2004–2005 | McCabe et al. (2009) | National Epidemiologic Survey on Alcohol and Related Conditions (Ages 20+, n = 34,653) | 1. Alcohol dependence 2. Heavy drinking | 1. Bisexual RR: 6.2; lesbian RR: 5.3 vs. heterosexuals 2. Bisexual RR: 3.0; lesbian RR: 2.4 vs. heterosexuals | 1. Bisexual RR: 3.2; gay RR: 2.8 vs. heterosexuals 2. Not significantly different |
| 2002–2006 | Talley, Sher, and Littlefield (2010) | Incoming first-time college students at the University of Missouri-Columbia; interviewed twice a year for four years (n = 2,854) | 1. Longitudinal trajectory of alcohol consumption 2. Longitudinal trajectory of binge drinking | Females and males: 1. Sexual minority associated with consistently higher alcohol use 2. Sexual minority associated with initially higher binge drinking that converges with heterosexual binge drinking over time | |

NOTE: RR = risk ratio.

**Table 7.A.2**
**Estimates of Smoking Among Gay Men, Lesbians, and Bisexuals—Risk Ratios by Behavior and Identity, from U.S. Data Sets**

| Year(s) Data Collected | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| Behavior | | | | | |
| 1999 | Eisenberg and Wechsler (2003) | College Alcohol Study (n = 10,301) | Current smoking | Bisexual RR: 2.1 Lesbians not significantly different from heterosexuals | Not significantly different |

**Table 7.A.2—Continued**

| Year(s) Data Collected | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| 2003 | McCabe et al. (2005) | Student Life Survey (Full-time undergraduates at the University of Michigan, n=9,161) | Past-month smoking | Bisexuals 180% more likely Lesbians not significantly different | Gay individuals 80% more likely than heterosexuals; bisexuals not significantly different |
| 1994–2002 | Marshal et al. (2009) | National Longitudinal Study of Adolescent Health (Grades 7–12, followed for six years, n=10,670) | Trajectory of average cigarette use | Bisexuals have consistently higher use frequencies than heterosexuals. At older ages, gay individuals also had higher use frequencies than heterosexuals. | |
| 2002–2006 | Talley, Sher, and Littlefield (2010) | Incoming first-time college students at the University of Missouri-Columbia; interviewed twice a year for four years (n=2,854) | Longitudinal trajectory of cigarette use (based on 8-point scale measuring frequency of use over past three months) | Sexual minorities predicted greater initial and sustained use of cigarettes compared to sexual majority counterparts. | |
| **Identity** | | | | | |
| 1995 | Garofalo et al. (1998) | Massachusetts Youth Risk Behavior Survey (Grades 9–12, n=4,159) | 1. Current smoking 2. Smokeless tobacco use | 1. Gay, lesbian, and bisexual RR: 1.8 vs. heterosexuals 2. Gay, lesbian, and bisexual RR: 4.4 vs. heterosexuals | |
| 1997 | Diamant et al. (2000) | Los Angeles County Health Survey (Women ages 18+, n=4,661 ) | Current smoking | Bisexual and lesbian RR: 1.73 vs. heterosexuals | |
| 1996 | Gruskin et al. (2001) | Women enrolled in Kaiser Permanente HMO in Northern California (Women <age 50, n=8,113) | Current smoking | Lesbians and bisexual RR: 2.0 vs. heterosexuals Lesbians and bisexuals ages 20–34 RR: 2.5 vs. heterosexuals | |
| 2001 | McCabe et al. (2003) | Student Life Survey (Full-time undergraduate students at the University of Michigan, n=3,607) | Smoked in the past month | Lesbian and bisexual women 250% more likely to have smoked in past month | No significant differences |

**Table 7.A.2—Continued**

| Year(s) Data Collected | Source | Sample | Measure | Female | Male |
|---|---|---|---|---|---|
| 2003 | McCabe et al. (2005) | Student Life Survey (Full-time undergraduates at the University of Michigan, n=9,161) | Past-month smoking | Bisexuals 90% more likely than heterosexuals Lesbians 390% more likely | Bisexuals 110% more likely than heterosexuals; gay individuals 90% more likely |
| 1999, 2002 | Gruskin and Gordon (2006) | Individuals enrolled in Kaiser Permanente HMO in Northern California (n=22,071) | Current smoking | Lesbian women 60% more likely to be current smokers than heterosexual women | Gay individuals 140% more likely to be current smokers than heterosexuals |
| 1995 | Tucker, Ellickson, and Klein (2008) | RAND Adolescent Panel Study (Age 23, n=1,663) | 1. Past-month smoking at age 18 2. Past-month smoking at age 23 | 1. Bisexual RR: 1.5 2. Bisexual RR: 1.8 | |
| 1994–2002 | Marshal et al. (2009) | National Longitudinal Study of Adolescent Health (Grades 7–12, followed for six years, n=10,670) | Trajectory of average cigarette use | Bisexuals have consistently higher use frequencies than heterosexuals. At older ages, gay individuals also had higher use frequencies than heterosexuals. | |
| 2002–2006 | Talley, Sher, and Littlefield (2010) | Incoming first-time college students at the University of Missouri-Columbia; interviewed twice a year for four years (n=2,854) | Longitudinal trajectory of cigarette use (based on 8-point scale measuring frequency of use over past 3 months) | Sexual minorities predicted greater initial and sustained use of cigarettes compared to sexual majority counterparts. | |

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# Focus Groups of Military Personnel[1]

## Overview

To understand relevant military opinion on the existing DADT policy and the possibility of a repeal, RAND conducted 22 focus groups with military personnel at ten military installations around the country. Focus groups with military personnel were also conducted as part of the 1993 study. The 2010 focus groups were designed to document the range of opinions among military personnel on a variety of topics, including diversity in the military, the ways in which the military manages diversity, and gay men and lesbians in the military. The focus groups introduced some topics designed to gain insight into how DADT is being implemented and to elicit suggestions for how a change in policy in which gay men and lesbians are not prohibited from revealing their sexual orientation might be implemented. Although the focus groups do not provide a statistically representative view of the opinions of military members, they are useful for outlining the range of opinion in the population, identifying issues on which there is strong consensus, and eliciting advice about how to implement potential changes in military policy.

As with the groups conducted in 1993, 2010 participants were generally proud of the military's progress on racial integration, although many had concerns about ongoing problems related to the integration of women. In contrast, the discussion of gay men in the military was notably different in 2010 compared to 1993. When discussing sexual orientation in the military now, participants often said they personally knew gay men and lesbians who are serving, in spite of the current prohibition on revealing sexual orientation. For the most part, 2010 participants respected the service of the gay or lesbian service members they knew and did not believe they should be removed from service. However, opinions about the inclusion of gay men and lesbians in the military were extremely diverse and debated within the groups. Many felt that the existing DADT policy "isn't broken," while a few expressed concerns that it put undue stress on gay and lesbian service members or that it was not fully consistent with military values of honesty and professionalism. Some participants expected relatively

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[1] This chapter was prepared by Terry L. Schell, Ryan A. Brown, and Sandra H. Berry.

serious challenges to occur if known gay men and lesbians were allowed to serve, while others believed that it would be a very minor change. Good leadership was seen as important for the successful implementation of any new policy.

## Study Approach

We conducted 22 focus groups with current service members during June, July, and August 2010. The median number of participants in each focus group was ten, yielding a total of approximately 200 participants. These groups included service members from the Army, Navy, Air Force, and Marine Corps, as well as a few members from the Coast Guard. The focus groups were conducted at ten military installations within the continental United States (Table 8.1).

Within each focus group, all participants were the same gender and rank. This homogeneity within groups was designed to encourage participants to speak freely about issues related to diversity and sexual orientation. Nine groups were run with women and 13 with men. Groups were run with service members at four ranks, corresponding to junior enlisted (E-4—e.g., corporal or petty officer third class), senior enlisted (E-7—e.g., sergeant first class or chief petty officer, except E-6 in the Marine Corps), junior officers (O-3—e.g., captain or lieutenant), and senior officers (O-5—e.g., lieutenant colonel or commander). The O-5 focus groups included participants from all four services and were conducted at the Pentagon. All other groups were held at one of the ten installations and consisted of members from a single service.

Recruitment of participants was done by either military or civilian staff at each installation, using guidelines provided by RAND. We requested a high level of diver-

**Table 8.1**
**Focus Group Locations, by Service**

| Service | Locations |
| --- | --- |
| Army | Fort Bragg, N.C.<br>Fort Lewis, Wash.<br>Pentagon, Va. |
| Navy | San Diego Naval Base, Calif.<br>Naval Station Norfolk, Va.<br>Pentagon, Va. |
| Air Force | McChord AFB, Wash.<br>Pope AFB, N.C.<br>Nellis AFB, Nev.<br>Pentagon, Va. |
| Marine Corps | Camp Pendleton, Calif.<br>Camp Lejeune, N.C.<br>Pentagon, Va. |
| Coast Guard | Pentagon, Va. |

NOTE: AFB = Air Force Base.

sity within each group, including a broad range of occupational specializations, participants from different units, some representation from ethnic minorities, and the inclusion of activated reservists where possible. Usually, our point of contact tasked individual units or commands, asking each one for either one or two participants. In many cases, this resulted in participants being drawn from nearby installations, in addition to the specific installations listed in Table 8.1. In general, the RAND points of contact were able to recruit participants who closely matched our target composition. The only exception was that several groups were not able to find activated reservists to participate. We requested ten participants for each group (except for Pentagon groups, for which we requested 12), and most groups were run with nine or ten participants.

It is important to note that this recruitment plan resulted in groups that were more diverse than would be found in a simple random sample of active-duty military members. For example, our groups had more women, senior enlisted personnel, and Marines than would be found in a representative sample of military service members. The groups also contained a broader range of occupations than would be expected in a representative sample of this size. This is consistent with the aims of this research to document the diversity and content of military opinion on these matters, rather than to document the average military opinion.

When recruited, participants were told that the focus groups would discuss diversity in the military, including diversity in race, ethnicity, gender, and sexual orientation. In some cases, participants were aware that the focus groups were being conducted in support of the Comprehensive Review Working Group. However, in most cases, recruited participants were not aware beforehand that the groups were focused primarily on issues related to sexual orientation.

Groups lasted approximately 90 minutes. A core of four moderators conducted the groups, with at least two moderators in each group. The discussions were recorded and transcribed. The transcripts were coded for various types of content to enable searching of the transcripts, the identification of themes, and cataloging of the range of opinions within each theme.[2]

**Focus Group Protocol**

As with the 1993 focus group protocol, the current protocol was divided into two major sections: a discussion of general issues of diversity in the military followed by a discussion of sexual orientation in the military. In general, we attempted to cover all the issues in the protocol while maintaining a natural conversation or discussion. We

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[2]  Prior to the start of the focus groups, participants were informed (a) that participation was fully voluntary, (b) that the conversations were not fully confidential because others in the room may reveal what they said, and (c) that they should refrain from saying anything that could get themselves or others into trouble if it were repeated outside of the room. Participants were asked to respect the privacy of the other participants and to refrain from speaking about the discussion outside of the group. RAND staff treated all participant comments as confidential. All potentially identifying information, including the tapes themselves, has been deleted or destroyed.

allowed spontaneous discussion to deviate from the planned order of topics. However, the moderators would return to earlier portions of the protocol if the planned topics were not addressed in the natural flow of conversation.

The initial discussion of diversity in the military was keyed to several distinct dimensions, including diversity with respect to race, ethnicity, religion, geography, and gender. Moderators tried to ensure that all groups discussed both racial/ethnic and gender diversity. The moderators asked separately about the perceived benefits of diversity, the challenges caused by diversity, how the military manages those challenges to maintain effectiveness, and how successfully those challenges are being managed. Under each of these three major topics, moderators brought up specific issues or domains if the participants did not spontaneously bring them up. For example, if needed, we asked about specific challenges, such as harassment, social conflict, social cliques, or inappropriate relationships. Similarly, we asked specifically about the role of leadership, official policies, and training in the management of diversity in the military if these topics were not addressed in the natural flow of the discussion.

After discussing general diversity in the military for 30–50 minutes, we moved the discussion to the topic of sexual orientation. In doing so, we explained the purpose of the discussion as follows:

> We have been talking about diversity in general, and now we would like to talk about a specific type of diversity. Congress is currently considering changing the law so that gay men, lesbians, and bisexuals could serve in the military even if their sexual orientation was known. In order to understand what might occur if the law were revised, we would like to understand how the DADT policy is being implemented.

Participants were also told:

> This is not a survey to find out if you support or oppose a policy change. Our report will not include any recommendations about whether the DADT policy should be changed. Instead, we are trying to get an idea of what types of changes, if any, might occur if known gay men and lesbians were allowed to serve.

In general, the discussion of sexual orientation covered four broad issues: personal experience with gay men and lesbians in the military, problems or challenges with the existing DADT policy, problems or challenges that would occur if known gay men and lesbians could serve, and advice on how those challenges should be managed if the policy were changed. The discussion of participants' personal experience with gay men and lesbians began with a show of hands regarding how many participants personally knew a gay or lesbian service member. For those who knew a gay or lesbian service member, we asked several additional questions, including: How many others know of their orientation? Have they been reported to superiors as specified by the DADT

policy? Were they investigated or discharged? And how would you characterize the quality of their service?

When asked about the challenges that would occur should DADT be repealed, thus allowing known gay men and lesbians to serve, moderators ensured that the discussion covered several different domains of problems, including problems in mission effectiveness, problems related to living arrangements, problems related to harassment of or by gay men and lesbians, problems with recruitment and retention, and challenges due to changes in military culture.

We also asked participants whether they knew of any problems or challenges caused by the existing DADT policy. If they were mentioned by participants, we asked for participants' thoughts about whether they felt that any of the following possible issues had arisen in relation to DADT:

- stress caused by concealing sexual orientation
- reduced access to mental health resources for serving gay men and lesbians
- gay men and lesbians being put at increased risk of blackmail or manipulation
- gay men and lesbians having difficulty reporting harassment against them
- the military losing highly trained and skilled service members
- DADT allowing people unfairly to cut short their military commitment.

Finally, participants were asked to give advice on how the military should manage the challenges that would occur if known gay men and lesbians were allowed to serve. We specifically asked about the role of leadership, the best policies and procedures, and suggestions for any training that would be helpful.

**Context of Focus Groups and Limitations of Research Approach**

The findings presented in this chapter should be considered within the context of the focus group approach and in relation to the limitations of this research method. We asked participants questions about diversity and sexual orientation, and they answered our questions. This process should not be interpreted as tapping into a stable, preexisting set of beliefs and opinions in this population; the opinions offered by participants might not have existed prior to our questions. The opinions we elicited might not be stable over time or situations. Overall, the participants' opinions about gay men and lesbians in the military were more complex, and less predictable, than can be shown in this discussion.

These focus groups were designed to outline the range of opinion in the population, to identify a few issues on which there is strong consensus, and to elicit advice about how to implement potential changes in military policy. However, focus groups are not good for estimating how many individuals in a given population hold one specific opinion or another. Such conclusions are best drawn from individually administered surveys on representative samples of that population. Thus, we have not attempted to

determine how many service members want DADT repealed on the basis of our focus groups. In addition, while we did ask participants to anticipate future events, their expectations should not be seen as a forecast of the future but as a manifestation of current opinion. (See Chapter Six for references on the discrepancy between expected reactions and actual reactions to the inclusion of gay men and lesbians in the military.)

## Key Findings: Views on Diversity in General

When discussing the existing diversity in the military, participants almost always conveyed a "can-do" attitude about dealing with people from different racial and ethnic backgrounds. Participants cited several factors that contribute to positive and productive interactions among a diverse workforce. Primarily, this was attributed to a strong commitment to "professionalism" (a term used very frequently by participants) that creates a level playing field for all service members, regardless of race, ethnicity, or religion. Participants expressed this concept in many ways—e.g., "It is where professionalism comes in at work, because it doesn't matter what you feel about someone, you still need to get the job done." Participants across services also recognized the important role of basic training in convincing recruits to set aside their differences in service of a common mission. For example, "There's no such thing as black, white, whatever, there is only Green [in reference to color of uniform]. It's the point that they teach you that at boot camp, and they expect that to just be doctrine to you, that 'we told you this a long time ago, this is one of our core fundamentals.'" Overall, participants often expressed pride in the role that the military has played in integration, particularly racial integration, with some people emphasizing that integration happened earlier in the military than in many civilian workplaces and that the military continues to offer excellent opportunities for minorities to advance. For example, one participant said, "Whatever the military does, it works, because our diversity is light years ahead of the diversity in the civilian sector."

When asked about the benefits of diversity in the military, participants identified potential benefits at the personal, unit, national, and international levels. Several participants felt it was critical that the military be a reflection of American society in order to maintain public support for the military, as well as to maintain recruiting: "It's not our private Marine Corps; it represents America and the American people." Similarly, "It's important that we reflect what America is in the armed forces, and that the other people in the world, as well as our country, see the reflection of themselves." Participants also thought that having a diverse force positively affected how the United States was perceived abroad: "When you deploy, when go around the world, you see that heavily diverse population just helps represent the U.S.—that we're not one race and that we are diverse and we are accepting of change." There were also some situations identified in which demographic diversity directly affects the mission

because it creates more diversity in skills and backgrounds, which can be critical for effectiveness—e.g., "street smarts" or the ability to understand cultural issues in foreign countries. Finally, many individuals felt that they personally benefited from a diverse force because forced exposure to diversity in the military broke down their stereotypes and allowed them to learn about people who are different from themselves (and whom they would not otherwise meet).

**Challenges Related to Diversity**

When discussing *challenges* from diversity, participants characterized in quite different ways the challenges caused by the integration of women and those posed by racial, ethnic, and cultural diversity. While diversity due to race, ethnicity, national origin, and culture was seen as a point of pride—i.e., a challenge that has now been conquered—the challenges caused by the integration of women in the military were seen by many as more complex and serious. In addition, their specific concerns about the integration of women more closely mirrored their concerns about the integration of gay men and lesbians, which arose later in the discussion. Both men and women expressed concerns about inappropriate relationships, as well as fraternization and favoritism based on sexual attraction. These problems were characterized by some participants as "common" or "the elephant in the room." The belief in this type of favoritism was seen by some enlisted women in lower ranks as encouraging inappropriate relationships, suggesting that "you've got to be flirting with someone . . . in order to get ahead."

Consistent with this sexual tension, both men and women voiced concerns about sexual harassment and sexual assault. Several women reported experiencing a sexually hostile work environment at some point in their careers, typically because of unwanted sexual advances by men. Several also reported knowing women who have experienced sexual assault. In contrast, men often complained about unclear rules, which can leave them "walking on eggshells" around women, because of concerns about their behavior being misinterpreted as sexual or sexist. For example, some expressed concerns that they may be reported to equal opportunity (EO) if they disciplined a female service member as severely as they would a male for the same infraction; others felt that they could not comment on issues related to a woman's appearance (e.g., uniform violations) or demeanor or that they needed to have a witness present any time they gave negative feedback to a woman to avoid getting an EO complaint. In short, while both men and women reported that problems related to sexual harassment are a significant burden, their perceptions of the problems were often highly divergent. Women stated that harassment is relatively "common" and creates an unpleasant work environment. In contrast, men were concerned that they could not treat women as equals because they could be inappropriately accused of sexual harassment.

Men and women often expressed different opinions about problems associated with differential treatment of men and women, whether because of official policy or

sexism. Often, the first thing mentioned in the male groups was the unfairness of different physical fitness test standards for men and women. Women were generally aware of this negative perception; one woman expressed her desire to perform up to male physical fitness standards in order to overcome the perception that she had been given unfair advantage. Some men were also concerned about the negative effects of pregnancy and maternity leave on unit performance, as well as the deliberate use of pregnancy to get out of deployments or other undesirable duty. While many women acknowledged that pregnancy causes problems for others in their unit, several felt that women had to work harder than men—or perform better than men—in order to get the same level of respect and that they were constantly required to prove that they were just as good as men.

### Ways in Which the Military Manages Challenges Posed by Diversity

When discussing the ways in which the military manages the challenges posed by diversity, much of the discussion focused on gender-related problems, particularly sexual harassment. The discussion had this emphasis because the discussion of challenges caused by diversity almost always identified more problems that were due to gender than were due to race, ethnicity, religion, or culture.

All participants reported receiving regular training on harassment in the workplace, but the quality and usefulness of the training was widely viewed with skepticism. Some participants described it as a "check the box" requirement that is designed so that leadership can "cover their butts," but without much concern for whether service members absorb the content of training. One participant said: "A majority of it—95 percent of it—is some PowerPoint or some website that you have a hard time getting into in the first place. As best as they try to make it, you can still click through it and really not get much out of it." Although the services appear to have slightly different formats for delivering this training, participants disliked both "death by Power-Point" and computer-based training: "You just click through it, you don't pay attention to it. You don't absorb anything." Some complained that the training never changes: "I've done that training seven times . . . it's the same from when I joined."

Many participants expressed a belief that this training would be more effective if it were given in a face-to-face setting, particularly if it were taught by personnel within the chain of command. For example, an NCO reported, "If I've got all my guys together at one time, we sit down and give it to them straight. I think it makes a lot more sense to them [than a PowerPoint presentation]." An enlisted service member also described this form of direct training as effective: "Now what does work is maybe the initial feedback with your supervisor when he or she lays down what's expected of you. . . . And then if [an incident] occurs then that particular individual sits down with you and they discuss a course of action that's very specific to that incident. I think that works much better than any computer-based training that we have to click through."

On the other hand, several participants felt that harassment training served an important purpose and was effective at reducing the incidence of harassment.

Participants often cited good leadership as important for successfully managing diversity in the military. However, there was a wide range of opinions about what good leadership looked like when addressing these problems. Some effective leaders engaged in close and personal monitoring of subordinates, intervening in problematic personal situations and mentoring individuals (e.g., a master sergeant who "nipped things in the bud" before they developed into larger problems). Other effective leaders used an approach that focused more tightly on job performance, emphasizing that service members should "leave your personal issues at home."

## Key Findings: Opinions About Sexual Orientation Under DADT

### Knowledge of Gay Men and Lesbians in the Military

All participants were asked to indicate if they knew of a gay man or lesbian in the military. A majority of participants indicated that they did know a gay man or lesbian; the median group had approximately 60 percent indicating this. However, there was some variability across groups, with slightly lower rates observed in the all-male groups and in groups with older participants (e.g., groups of E-7s or O-5s). While these rates may not be representative of the overall military population, they are helpful for understanding the characteristics of the participants who engaged in the subsequent discussions regarding their personal experiences with gay men and lesbians in the military.

When discussing the gay men and lesbians they already knew in the military, several participants indicated that the sexual orientation of these individuals was widely known. Some participants were quite sure that the gay or lesbian service member's direct superior officer knew of his or her sexual orientation. One participant reported that "everyone knew he was gay, but no one wanted him gone." Two participants gave examples of NCOs who took no action when confronted with a direct, credible report of a gay or lesbian service member. We also asked participants to evaluate the performance of any gay men or lesbians they knew. There was a consensus that these service members had served admirably, including some who had been processed out of the military. For example, "Until they kicked him out, he was still part of the squadron. Very good sailor. Very good operator. No question about that." And similarly, "I would go to war with that [gay] person, any day."

When asked why some "known" gay men and lesbians had not been processed out of the service under DADT, participants gave several possible reasons. Almost no one felt it was his or her personal responsibility to file a formal allegation against someone they knew to be gay or lesbian. Some participants said that they would be hesitant to initiate any complaint because it might imply that they violated the "Don't Ask" portion of the existing policy. Some felt that the specific gay men and lesbians they

knew were relatively popular within their units and that there would be social sanctions against whoever filed a formal allegation—e.g., after the individual explained that many gay men and lesbians are popular, "You don't want to be the person who picked on the gay guy . . . because it paints you like you're bad." Others felt that they would not report them because their NCO or officer would not want to take any action that would jeopardize the readiness of the unit. For example, one participant said (referring to a gay man who had come out to him): "Some chiefs . . . would say, 'You know what? This guy's a great worker and I can't lose him.'" Others felt that deliberately getting someone in trouble for his or her private life, rather than the person's performance at work, was a violation of social norms of privacy and professionalism. For example, a participant said (referring to reporting a gay service member): "Yeah, that's spiteful. I don't know anyone who would be that spiteful. . . . They're professional. They do their job. Just because I know they're gay doesn't mean I want them out of the Marine Corps." Thus, participants who knew gay service members generally believed that the gay people they knew should not be separated under DADT. Having said that, it is important to note that this acceptance of gay service members may not generalize to the broader military population. Gay men and lesbians may be more likely to reveal their orientation to those whom they believe to be most accepting.

**Awareness of Any Problems with the DADT Policy**

We also asked participants if they knew of any problems with the DADT policy. Participants in most groups found this to be a difficult question, and several groups did not spontaneously identify any problems with DADT. A common reaction to this question was similar to, "Why fix what's not broken? There's nothing wrong with the system now. People can't come out is the only thing." In general, it seems that many participants had not thought much about possible negative effects of the existing policy, or they viewed those effects as exclusively affecting gay men and lesbians.

In groups in which participants did identify problems caused by DADT, these problems generally fell into three categories. First, several participants mentioned that the policy is not very clear or seems to contradict the Uniform Code of Military Justice (UCMJ). For example, one participant said, "Because basically we have the Uniform Code of Military Justice that says homosexuality is illegal in the military. And our Don't Ask Don't Tell policy says we're going to ignore that policy. . . So we've got somebody telling us that we have a law that we're not going to follow . . . it undermines the idea that we're ruled by law and that we follow the orders." Others felt unsure about how to follow the current policy. For example, "I've gone to legal over it for several different cases that have come up. Even legal does a soft pedal on this. . . . There are certain questions you're supposed to ask. There are certain questions you're not allowed to ask. Nobody really knows."

Second, participants across several focus groups mentioned that the DADT policy is a source of stress for gay and lesbian service members and that it may lead to mental

health problems. For example, one participant noted, "They don't want to have to live underneath this dark cloud their entire lives whenever they go to work. . . . I don't have any stats but I suspect that if they're allowed to openly serve, that maybe the suicide rates might drop." Others suggested that DADT might make it harder for gay men and lesbians to get needed support or counseling for existing mental health problems. For example, a participant asked, "Where can they [gay men and lesbians] go to talk about their personal life without it going back to their commander?"[3] A few participants reported that it is common to be asked about spouses, romantic partners, and children by others in one's unit and that it would create stress to have to lie about these questions, particularly when they came from unit leadership. These participants indicated that a person who evaded these questions would be seen as antisocial or unfriendly.

Finally, some participants thought that DADT undermined the principle that professionalism and dedication to the mission are what matters most in the military. For example, a participant said, "If it's a squared-away soldier . . . top notch, on top of everything . . . and they're gay, why would you chapter them out [i.e., discharge them]? The point in the military is defending the nation."

In the several groups that did not spontaneously volunteer any problems caused by DADT, we specifically asked about possible problems under DADT to determine if they viewed them as plausible or substantial issues. In general, participants in many groups considered the following to be "good arguments" for changing the policy: It results in the loss of some highly trained, high-performing service members; it requires keeping secrets that could put service members at risk for threats or manipulation; and it makes it hard for gay men and lesbians to report any harassment against them that currently occurs. Some participants agreed that DADT encourages dishonesty, undermining a core military value. However, others rejected the view that DADT requires dishonesty, believing that a person could successfully conceal one's sexual orientation without needing to lie.

## Key Findings: Opinions About the Effects of a Hypothetical Nondiscrimination Policy

Although a majority of participants reported knowing service members who were gay or lesbian, many participants felt that repealing DADT and replacing it with a policy that banned discrimination based on sexual orientation would present several challenges to the military. It is important to note that there were relatively dramatic differences across groups in the discussion of these challenges. In the majority of groups (approximately 16), there was a respectful debate among people with different views

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[3]   While this is conjecture on the part of our participants, in Chapter Seven we review the scientific literature on the mental health of gay men and lesbians and its relationship to closeted status.

on the seriousness of these challenges. In those groups, participants openly disagreed with one another or qualified each other's statements. In several groups, however, the discussion was one-sided. In about half of those one-sided groups, everyone appeared to agree that a new policy would cause dramatic problems, and in the other half, everyone appeared to agree that a new policy would have very minimal effects and would be relatively easy to implement. We suspect that the apparent unanimity in these groups may be the result of a group process in which individuals with minority views did not feel comfortable voicing them, rather than a true consensus of opinion. In short, while participants identified many potential challenges resulting from allowing known gay men and lesbians to serve, there were other participants who disagreed with virtually all of the identified challenges. The overall range varied from "You're going to have to basically alienate entire generations of the Marine Corps, and completely phase them out and then create an entire new [force]" all the way to "I honestly think the day after the policy is repealed, it'll be just like the last week when we came to work. I don't think anyone's going to come to work dressed differently, talking differently, acting differently. We're going to maintain the same professional demeanor we do every day, and get the mission done."

### Possible Challenges Anticipated from a Hypothetical Nondiscrimination Policy

One of the primary challenges anticipated by participants was an increase in harassment, both harassment committed by gay people and harassment of gay people by heterosexuals. One of the more common concerns was that the presence of gay men would create an uncomfortable work environment for straight men. Specifically, several men were concerned that gay men would display sexual interest in them. These concerns were voiced in several contexts, but most typically they were concerns about interactions occurring in common showers and between roommates. For example, "Well, that's not fair, because when I go to shower I've got to worry about this guy looking at me in a way that . . . [pause]" and also "If I find out you're gay, I'm not going to want to work around you. . . . I'm going to be uncomfortable working with you, because God knows what you're thinking about when you're working with me."

In some cases, participants were concerned that by allowing men to share a room—and, by inference, allowing gay men to be roommates—gay men would get a privilege that is not available to straight men, who are not allowed to room with potential sexual partners. While these concerns about nudity, showers, and roommates were widespread, they were not unanimous. In many groups, participants questioned whether such fears were realistic—e.g., "I think it's kind of funny. I don't know if you guys notice this or not, but males, when you talk about letting a gay person in, they assume that gay person is going to be attracted to them and just not be able to control themselves." Similarly, "Most gay people don't hit on straight people; it just normally doesn't work." Others questioned why the repeal of DADT would change what happens between roommates or in the showers, since gay men are currently allowed in the

military and currently share those spaces with straight men. Thus, although concerns about these interactions were one of the most commonly cited challenges to occur under a new policy, there was little agreement on how realistic or serious such concerns were.

Several participants also expected an increase in harassment of gay people by straight people if gay men and lesbians were to be more open about their sexual orientation. For example, a participant stated, "If they came out they'd be neglected, especially [on the] infantry side. I know a lot of them would probably get the [expletive] kicked out of them." However, even people who said these assaults would happen suggested that it would be a phase that would end when the handful of individuals who could not control their antigay sentiments were removed from service. For example, one participant said, "I think there's going to be a lot of assaults but I think we'll get through that." Other participants pointed out that civilian gay men and lesbians face harassment and assault in colleges, bars, and the workplace and that the problems in the military would not be dramatically different.

Similar to men's concerns about being accused by women of sexual harassment, some men expressed concern that they would be unfairly accused of harassment or discrimination against gay men and lesbians, which would negatively affect their career. Some reported that using the terms "faggot" and "gay" is very common in the military and wondered if using them in the future would result in an EO complaint. Similarly, some were concerned that every negative interaction between gay people and straight people would be blamed on the heterosexual service member—e.g., "They'll be like, oh, you're harassing me because you're uncomfortable with me. . . . It's all going to end up falling on heterosexuals that it's their fault. I bet that's what's going to happen."

Although discussions about harassment and assault were the most common topic when talking about challenges under a nondiscrimination policy, many participants were also concerned about a broader change in military culture and the military's public image. These individuals expressed concern that gay service members would not act with proper military bearing and demeanor. For example, a participant said, "Personally, if they were being flamboyant or acting a little more gay . . . I would personally avoid that shop so I wouldn't have to hear that type of stuff. We have an image to uphold." And "You could tell that they're gay, you know, they don't have a sense of military bearing." Some believed that gay service members under a new policy would incur uniform violations by wearing their uniforms in a nonstandard way or with unapproved accessories. In several groups, however, participants took issue with this characterization of gay service members, pointing out that many of them have a "more military" demeanor than typical service members and that many effeminate men are not gay.

In general, there was substantial debate and anxiety about how gay service members might act under a nondiscrimination policy. Some people believed that there would be changes in the behavior of current gay service members, with gay men

becoming more "flamboyant" and "effeminate." Others believed that there would be no change—e.g., "The individuals I personally know, I would think they would be just how they are now. Just the same. They come to work, do what they have to do and then they roll out." While there was general agreement that most current gay service members acted appropriately, there was concern that the gay people who would join the service if DADT were repealed would be more flamboyant—e.g., "whoever's coming in after that may be a distraction essentially. They'll be, like, 'Oh, I'm gay and there is nothing you can do about it.'" A key issue was how many gay service members would make their orientation known. While some participants said this would be common (and a few thought it should be required), others said they expected that this would be a more gradual or limited process, in which gay men and lesbians reveal their orientation only in situations when it would not cause problems.

Several concerns about allowing known gay men and lesbians to serve centered on how the public and allies would view the military, as well as how it might change military culture. For example, one participant said, "It's going to make the military as a whole look differently. What are other countries going to think?" On the other hand, some had worked closely in combat areas with U.S. military allies, including known gay men and lesbians, and found that it made little difference. We explicitly asked if they thought allowing known gay men and lesbians to serve would affect recruitment and retention, but there was very little agreement, even among individuals, on what the net effect might be. Some felt that there would be a loss of prestige from allowing known gay men in the service, which might hamper recruitment; however, some participants also felt that there would be many gay men who would join the service if DADT were repealed.

When asked about retention, most groups expected some people to leave the service if the policy were changed. Even those who expected some attrition, however, did not see this policy as a major determinant of retention decisions and thought its effect would be short-lived. Only two individuals said such a policy change would make them leave the military; however, in one case that statement was qualified with "unless they give me a bonus or something."

Other participants felt that the change in policy would show a disregard for Christian religious values or undermine the military as a moral institution. For example, one participant said, "Very religious folks don't believe that this is appropriate behavior. And forcing their hand into, 'Hey, I now recognize what you're doing . . . now I have to recognize you and your sexual orientation, which I normally wouldn't know about if it was not open.'" However, other participants pointed out that the military explicitly tolerates a wide range of religious beliefs, not just Christian beliefs, and that it also allows many behaviors that conservative Christians consider to be sins. In addition, not all Christians in the groups supported the DADT policy. For example, one participant said, "I'm an independent, evangelical Christian but I don't care if you're gay . . . It doesn't bother me."

We were interested in any problems with unit cohesion that might occur under the new policy. As part of our analysis, the transcripts were coded for all comments related to the concepts of social or task cohesion described in Chapter Five. In general, there were several themes in discussions of the social effects of allowing known gay men and lesbians to serve in the military. Some participants thought that there would be a negative effect on cohesion. In those cases, moderators pressed participants to clarify the nature of the effect. The primary expected effect was that openly gay individuals would not be liked by others in the unit; some unit members might prefer to be in a different unit and might ostracize the gay service member. While a few participants said that this would undermine unit performance, they found it difficult to give examples of how the mission might be compromised. Participants generally stated that the gay and straight unit members would be committed to the unit's mission and that all unit members would continue to do their jobs. The two specific behaviors indentified that would undermine mission effectiveness were extreme examples of ostracism: direct violence against gay service members and leaving a wounded gay service member on the battlefield. However, other participants did not believe that those would be likely events. In short, many participants expected some effect on how much unit members liked one another, but participants generally did not connect this social problem with success or failure in specific military missions.

In addition to challenges that might occur from having known gay men and lesbians in the military, participants identified several administrative and implementation costs of a new policy. Several participants felt that the transition to a new policy and the administration of a new policy could be difficult and distracting. For example, one participant stated, "We shouldn't implement it during a time of war when our focus is protecting the country. . . . You don't have enough time to learn how to work with a guy who's gay." Another said, "[If DADT is repealed] we're going to be laid to waste with paperwork and reports and everything else." Another stated, "It's going to take years to do this." Others were less concerned about the time required to train and implement the new policy than they were about the difficulties caused by administering a new policy. Some participants were concerned that they would get in trouble for disciplining gay service members, creating a "walking on eggshell environment," or that there would be a flood of new complaints either by or against gay men and lesbians that would require command attention. In many cases, participants directly linked these concerns with the challenges caused by the integration of women. One common type of implementation challenge expected was excessive complaints about housing, barracks, or berthing. Participants believed that many service members who were assigned gay roommates would complain and that these complaints would take considerable time to address. However, others felt that these complaints would not be difficult to deal with; people filing such a complaint should be told to deal with it themselves unless there was actual evidence of harassment.

While there was not a consensus on the type or severity of challenges that would occur, there was consensus on some topics. For example, when the discussion turned to problems caused by a new policy, all groups transitioned to talking about gay men, not including lesbians in this discussion. The examples of challenges cited always involved gay men. When we explicitly asked the groups if the challenges would be the same for integrating known lesbians, all groups expected fewer challenges for integrating lesbians. Many of the most prevalent concerns about openly gay men were that they might act in a stereotypically female manner—that they would be "dainty" or "feminine." In many respects, the integration of gay men and lesbians was seen as causing problems similar to the integration of women (e.g., harassment, favoritism, flirting, interferences with male bonding).

In contrast, several male participants thought that lesbians were a better fit for the military than straight women. Specifically, lesbians were thought to be more "masculine" than straight women, displaying better military "bearing and demeanor" and meeting higher physical fitness standards. Lesbians were also seen by some as less likely get pregnant, less likely to flirt in the workplace, and less likely to be sexually harassed by men. Finally, several participants expressed that being a lesbian is more acceptable in American culture—e.g., "Guys think lesbians are cool." It is important to note that, even among those who anticipated substantial problems caused by allowing gay men in the military, these problems were expected to be isolated to gay men and generally not expected to extend to the integration of lesbians.

There was also a broad consensus across services, ranks, and genders about where within the military problems were most likely to occur if DADT were repealed. Specifically, participants saw the challenges as most acute among men in the Army and Marines, specifically the infantry. There was some debate about whether problems would occur more frequently among younger soldiers and Marines, who were seen as less socially mature, or among older NCOs and senior officers who were raised in a time when most gay men and lesbians were closeted. Several respondents thought that the younger generation was already prepared for a repeal—e.g., "Socially it's becoming more acceptable . . . you've got actors, actresses and musicians and athletes coming out. The mainstream media is putting it on the TV every night. . . . So I don't think the new sailors coming in will be negatively affected by [repeal of DADT]."

Even though a majority of participants did not serve in the ground forces, and many were women, we spent much of the discussion talking about the hypothetical experiences of men in the infantry. A large portion of the discussion of challenges occurred in the third person. For example, Air Force personnel talked about problems that occur "in foxholes," and women talked about problems men would have. This tendency to talk about potential challenges of a new policy in abstract or third-person terms was common across all groups. Thus, a Navy SEAL talked about problems that would occur in the Army. Similarly, a lieutenant colonel speculated about problems that would be experienced by a private. Many participants made it clear that the gay

men and lesbians they personally knew serve admirably and do not cause problems but would subsequently voice concerns about how the gay people they do not know (e.g., those who would join the service after a change in policy) might cause problems. This tendency to talk about *other people's problems* was explicitly acknowledged by many participants, who began their comments with a disclaimer such as, "I do not personally have any problems with gays in the military, but some people . . ." Thus, although we selected participants who had direct personal knowledge of current military life, the participants were often not speaking about their personal thoughts and behaviors, but instead from their broader social expectations and assumptions about others' thoughts and behaviors.

As mentioned earlier, the focus group discussions of the challenges caused by allowing known gay men and lesbians to serve were marked by significant debate and divergent opinions. There was no consensus across groups on whether the challenges were significant or minor. However, the most common response was that, regardless of the size of the challenges, the military would handle a new policy if it were ordered to do so. Several participants referred to the military's history of handling the earlier integration of diverse groups (such as blacks and foreign-born individuals) and to the U.S. national character in suggesting that the military can overcome these challenges. This "can-do" attitude was cited by many participants—e.g., "I just can't believe that, as a U.S. military chief [petty officer] and as the United States of America, we cannot make this work. . . . I won't accept that. They can do it if they want to." And similarly, "Regardless of what decision is made, and I hope I speak on everybody's behalf when I say, we are going to make it work. That's what we do. Regardless of what it is, that does not matter." Many comments in this vein conveyed that service members follow orders regardless of their personal feelings on the matter. For example, a participant noted, "It doesn't matter what anyone in here in uniform thinks. Because we are sworn. We all take the same oath of office. And that is to abide by the lawful orders given to us from our superiors. So if Congress or if the Commander in Chief should sign into law . . . a lawful order, we shut up and color." Another said, "Marines follow orders. They don't care what the order is. If it's a lawful order, you, as a Marine, have that responsibility."

**Advice on How the Military Might Mitigate Challenges**

When asked to provide advice on how the military could mitigate challenges that could occur if known gay men and lesbians were allowed to serve, "good leadership" was consistently mentioned. In general, participants seemed to mean several things by this term. One proposed element of good leadership was to focus on the mission and job performance and make sure that nothing gets in the way. One officer put it this way, "I want a soldier that can shoot, that can do physical training, and that can do their job right. I don't care what they look like or what their sexual preference is. All that stuff, whatever god they believe in, that's their private life."

Another element of leadership mentioned was to give clear and direct orders about any new policy. Some participants indicated that leaders would need to articulate any new policy so that it clearly stated what behavior was inappropriate for both gay and straight service members. Leaders "up and down the chain of command" would need to be consistent in implementing the policy. This includes clearly signaling that they would fully implement the policy, regardless of their personal beliefs. Several participants also implied that leadership should have zero tolerance for policy violations, at least during the initial phases of implementation. For example, a participant said, "Leadership is going to have to set the example. Be like, 'We are not going to tolerate harassment, hate crimes, any of that B.S.—we are not going to tolerate that.' And I think upper management needs to lead by example." However, a few thought that the change in policy would result in the loss of some military officers—those who would not want to implement it.

While many participants expressed the view that leadership was key to successful implementation, there was more debate about what the policy itself should look like and how service members should be trained on that policy. There was general agreement that the UCMJ regulations on sexual behavior should be amended along with any new policy to ensure that gay people did not get special treatment. Other participants expressed concerns that the benefits afforded gay men and lesbians would need to be "fair." However, there was little agreement on what "fair" meant in this context. For example, some implied that it would be unfair to give marital benefits to gay people because their marriages are not "real," but others stated that fairness required that gay spouses should receive the same benefits as heterosexual spouses.

Some participants thought that the regulations implementing ay new policy would need to be long and detailed to outline exactly what behaviors would be acceptable and unacceptable for gay and heterosexual service members. Others felt that these regulations should be "simple and understandable to the lowest level . . . down to an E-1." Still others felt that no new regulations were needed at all, other than repealing DADT. These latter participants argued that the existing antiharassment policies, as well as the leadership's authority to maintain good order and discipline, were sufficient without any regulations directly addressing sexual orientation. A few participants expressed concern that a policy that singled out gay men and lesbians for certain protections could cause resentment: "It's going to be them protected, and then heterosexual people are going to be seen as not being progressive enough or open-minded enough."

There was also a wide range of opinion on the role of training. A substantial proportion of participants felt that the existing sexual harassment training was completely applicable to same-sex sexual harassment, as well as to harassment of gay people by heterosexuals. In their view, the principles and procedures are already in place and are covered in the existing training. For example, a participant felt that "[current harassment training is] clear about what's inappropriate, and it doesn't differentiate that it's male or female. Our discrimination training—if we make this different, that discrimi-

nating against someone who is homosexual is any worse or different than discriminating against somebody because of their religious practice or their country or their music preference or anything like that, and that lends itself to harassment, then we're missing the boat. It's harassment and discrimination of whatever ilk." However, a substantial proportion of respondents felt that having known gay men and lesbians in the military raised different issues that required a different kind of training, and some suggested that extensive training would be needed. For example, a participant stated, "Well, they need more classes, a lot more. And I don't know where to start, how to even implement that." Some felt that training would be required that directly addresses attitudes toward gay people, particularly by older service members, while some said that there may need to be some special classes for gay personnel (e.g., on safe sex). In general, it appeared that participants' attitudes about DADT, the need for new policy, and the need for new training were related to one another. Those participants who felt that repeal of DADT would present a lot of challenges often felt that extensive new policy and regulations would be needed and that new training would be required on the new regulations and procedures. Others felt that extensive discussion, lengthy policies, and new training would be counterproductive because they could be divisive. For example, some said that this issue "has already gotten too much attention" or "We are sick of hearing about this, just make a decision and we will implement it."

Although the participants' comments about training were related almost exclusively to potential new policies regarding sexual orientation, the discussions revealed several issues about which participants were not well informed. First, many participants, particularly young ones, had misconceptions about the history of racial integration in the military that could cause them to underestimate the similarity to the current policy debate. For example, some said that racial integration (unlike the integration of gay men and lesbians) was popular with the military and the public at the time and that it occurred during peacetime. Second, many participants were not aware of the details of DADT. Finally, when discussing a policy of nondiscrimination against gay personnel, participants in several groups referenced the policies of our military allies and of civilian employers. However, the focus group participants were often unable to name any specific countries with such policies, nor were they clear on legal protections outside the military against workplace discrimination on the basis of sexual orientation.

Finally, it is important to note that our brief discussion cannot accurately portray the full complexity of an individual participant's opinions about gay men and lesbians in the military. When discussing the debates between individuals, it is easy to oversimplify an individual participant's opinions by assuming that they vary along a single dimension (e.g., from affinity for gay people to antipathy for gay people). However, opinions were often more complex than this would imply. For example, several of the participants who felt strongly that DADT should not be repealed also felt that, if it were to be repealed, the military should fully recognize gay marriages. One participant

strongly objected to gay men in the military on religious grounds yet also indicated that he had no problem with lesbians serving in the military. Finally, even those participants who were strongly against allowing known gay men and lesbians to serve did not wish to see a return to the pre-1993 policy of an outright ban on gay men and lesbians in the military.

## Summary

Although there was a wide range of opinions on most of the topics of discussion, several common themes emerged:

- As with the groups conducted in 1993, participants were generally proud of the military's progress on racial integration, although many had concerns about ongoing problems related to the integration of women.
- In contrast, the discussion of gay men and lesbians in the military was notably different in 2010 compared to 1993. When discussing sexual orientation in the military now, participants often said that they personally knew gay men and lesbians who are serving, in spite of the current prohibition on revealing sexual orientation. For the most part, 2010 participants respected the service of the gay or lesbian service members they knew and did not believe they should be removed from service.
- While some participants felt that the current policy posed some problems for the military, primarily by causing psychological stress on the affected service members or by creating a policy that is not well understood or consistently enforced, many thought that it worked well and should not be changed. If DADT were repealed and gay men and lesbians were allowed to reveal their sexual orientation, some participants expected a range of challenges, including increased harassment, and increased workload associated with the training and enforcement required for a new policy.
- Discussions of the seriousness and likelihood of specific challenges were marked by highly divergent opinions both within and across groups.
- There was, however, a broad consensus that the challenges resulting from allowing known gay men and lesbians to serve would occur most acutely for men in the infantry who were interacting with gay men. Minimal problems were expected from having known lesbians in the service, and reduced problems were expected in other segments of the military (e.g., support personnel, Air Force, Navy, and women).
- Participants generally agreed that the successful implementation of a new policy would require good leadership. This included giving clear and direct orders outlining unacceptable behavior for both gay and heterosexual personnel, consis-

tency in enforcement throughout the chain of command, and zero tolerance for harassment.

The overall tone of focus group discussions was respectful, in spite of clear differences of opinion within many of the groups. Virtually no participants used hostile language when referring to gay men and lesbians, and few claimed that gay service members were inherently less able to perform the duties of a service member. There was a viewpoint expressed across many of the groups that there was "nothing wrong with gays" in other contexts, but that in the military, their open presence would be uncomfortable or inconvenient for heterosexuals. While many participants expressed a preference to maintain the DADT policy, there was widespread agreement that the military could rise to this challenge if ordered.

These findings are different in several ways from the focus groups conducted in 1993. A large proportion of participants in 1993 felt that lifting the ban on gay men and lesbians in the military would lead to a catastrophic breakdown of the military. While the specific types of challenges expected by participants in 2010 are the same as those expected in 1993, the recent groups debated both the severity and the likelihood of those challenges. Unlike in 1993, this debate proceeded with very little open hostility toward gay men and lesbians. Perhaps most important, while some service members in 2010 expressed the view that allowing known gay men and lesbians to serve would be inconvenient and undesirable, they generally expressed the opinion that it would be a challenge that the military would overcome. Indeed, opponents of the repeal of DADT often portrayed this change as inevitable, but one that they would prefer to see postponed.

# RAND Survey of Gay, Lesbian, and Bisexual Military Personnel[1]

## Overview

When a policy change is being considered, it is customary for the key stakeholder groups to participate actively in the debate and for their views to be considered in making decisions. However, in current discussions about repeal of the Don't Ask, Don't Tell (DADT) policy, the ways in which the views of gay and lesbian service members can become part of the debate are very limited. Only they can tell us how current policy is currently affecting them, and many of the concerns that have been raised about the repeal of DADT have to do with how gay and lesbian service members are likely to respond to a change in policy. Gay and lesbian service members are also in a position to report on the likely responses of other service members toward them, since as a group they have experienced and observed the full range of responses, from acceptance and support to harassment. Finally, gay and lesbian service members are in a unique position to report on the extent to which their sexual orientation is currently known and how that is likely to change as a result of a change in policy.

We undertook an Internet survey of gay, lesbian, and bisexual military personnel in order to make their insights and knowledge available as part of consideration of DADT repeal. The survey asked respondents how DADT is affecting them now, to what extent and how they would respond if DADT were repealed, and what features of implementing a policy change they would find helpful or unhelpful.

## Survey Approach

Conducting a survey of serving gay men, lesbians, and bisexuals presents challenges for two main reasons: the need to preserve confidentiality for participants and the difficulty of sampling and engaging a group for which no lists and contact information are available. Surveys that ask about illegal or stigmatized behaviors face chal-

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lenges because of confidentiality. Participants in surveys of sexual or other types of risk behaviors or criminal activity may share information on illegal or socially stigmatized behaviors, and they need to be protected from having that information used against them in a legal or administrative procedure. Other surveys put people at risk simply because their eligibility to complete the survey marks them as part of an illegal or stigmatized group and potentially identifies them in a way that could affect their community standing, their employability, or how they are viewed by their loved ones. Under DADT, a survey of gay, lesbian, and bisexual individuals who are serving their country on active duty in the U.S. military presents this risk. The Federal Common Rule for Protection of Human Subjects requires that all research involving human participants takes steps to minimize the risk of research participation (Code of Federal Regulations, 2009). Our study approach was designed to provide the strongest protection possible for survey participants.[2] We needed to ensure that individuals recruited to participate perceived that they would be safe from legal or other repercussions of participation. We also needed to have a reasonable belief that respondents were actually active-duty military personnel and that gay service members would view the survey as an opportunity to express what was important to them about the potential repeal of DADT.

Since DoD maintains no list of gay service members, we could not use probability sampling to obtain results representative of this population.[3] Instead, we considered several methods described in a 2005 review of sampling methods for hard-to-reach populations (Magnani et al., 2005). Each method has its own strengths and weaknesses. In addition to the methods described by Magnani et al., we considered a targeted Internet advertising approach developed recently for surveying gay males in relation to HIV risk behaviors; however that approach would risk attracting non-qualified participants. After discussion with the DoD Comprehensive Review Working Group, we adopted a peer-to-peer recruiting approach, based on the assumption that there are existing networks of gay, lesbian, and bisexual service members who are known to each other on which we could draw (Trivette, 2010). We included some features of one of the other approaches we considered, respondent-driven sampling, or RDS (Heckathorn, 1997), but we anticipated that full implementation of RDS would not be possible. We fielded the survey through the Internet, which has been used successfully with peer-to-peer recruiting (Wejnert and Heckathorn, 2008).

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[2]    The survey was approved by RAND's Institutional Review Board, and the approval was confirmed in secondary level review by DoD. It was licensed by Washington Headquarters Service after a substantive review of the survey and methods by the Defense Manpower Data Center.

[3]    In probability sampling, every unit in the population of interest has a chance of being selected in the sample, and this probability can be accurately determined.

**Sampling and Recruitment Approach**

Figure 9.1 provides an overview of our recruitment process. We used peer-to-peer recruitment to identify potential respondents, motivate them to cooperate, and provide reasonable assurance that respondents would be military personnel. To start the process, we worked with nine organizations that either (1) serve as personal and professional networks for gay service members or veterans or (2) represent gay service members and veterans: American Veterans for Equal Rights (AVER), Blue Alliance, Knights Out, OutServe, Service Academy Gay And Lesbian Alumni Network (SAGALA), Servicemembers Legal Defense Network (SLDN), Service Women's Action Network (SWAN), Servicemembers United, and U.S. Naval Academy (USNA) Out. We asked them to identify and engage the cooperation of individuals who were currently serving on active duty to complete the survey and then ask others whom they know personally and who may qualify for the survey to complete it as well.

**Figure 9.1**
**Overview of Recruitment for Survey Participants**
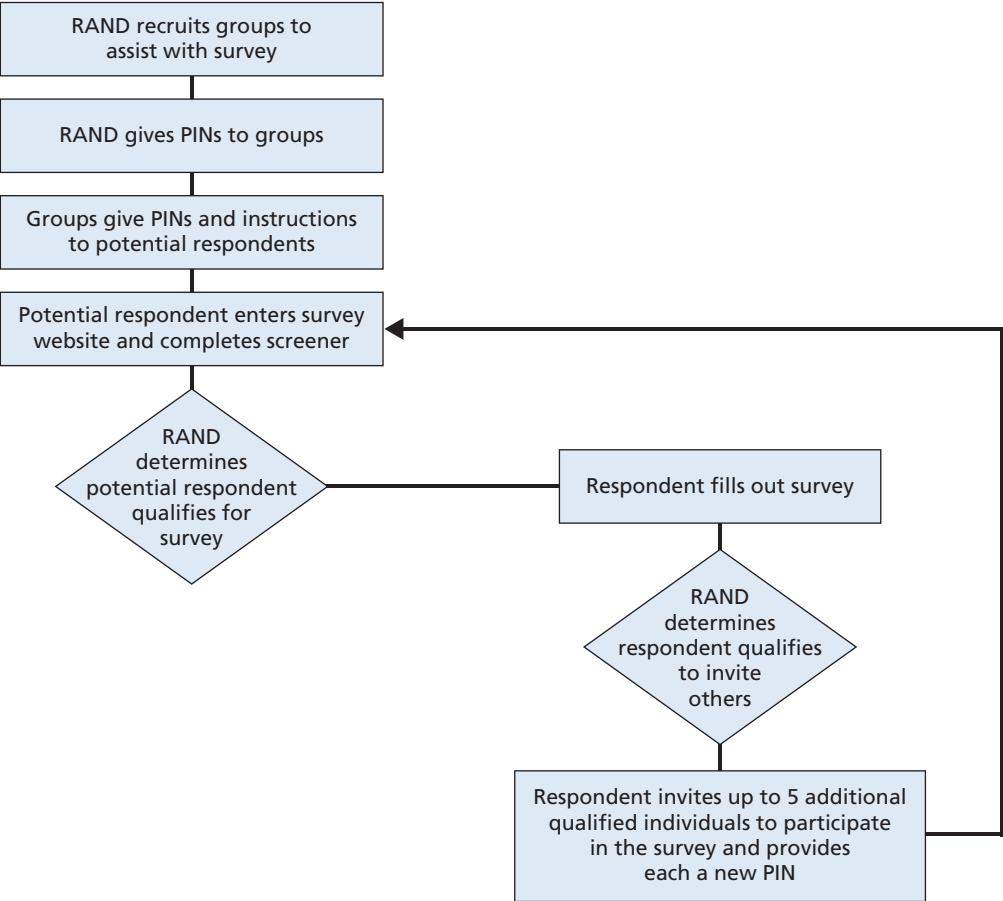
The organizations vetted individuals as active duty through a variety of means. For example, SAGALA, Knights Out, USNA Out, and the Blue Alliance are made up of graduates from the military service academies, whose graduates are a matter of public record. OutServe conducts a lengthy vetting process with its members, involving initial contact via anonymous email and follow-up interviewing. Servicemembers United, SLDN, SWAN, OutServe, and AVER relied on trusted associates whom they knew to be on active duty, including contacts with whom they had interacted while in uniform or in a professional capacity directly related to their military careers.

RAND provided each of the groups with personal identification numbers (PINs), which the groups distributed to potential survey participants with instructions. In selecting initial participants we asked the groups to obtain the broadest possible representation across gender, race and ethnicity, age, branch of service, military occupation, rank, region (continental United States or outside the continental United States), and socioeconomic status. We told them that respondents were required to be active duty or currently activated reserves; the license we obtained to conduct the survey from Washington Headquarters Service required that we restrict the sample to these groups. We indicated that initial participants should ideally be very connected with networks of gay and lesbian service members and willing to pass along an invitation to others in their network. The PINs make it possible to track referral chains as they develop; but since the survey was anonymous we could not identify the initial participant or subsequent participants.

We initially distributed five seed PINs to each organization so that we could monitor initial outcomes before significantly increasing the number of PINs we supplied as the survey progressed.[4] Ultimately, 189 PINs were provided by the organizations to individuals they believed were qualified to participate in the survey, and 80 of them completed the survey. Together they recruited 142 others who qualified and completed the survey. Initially, we asked the organizations to provide each PIN individually to a potential respondent. However, at the end of the survey we allowed two groups that maintained well-vetted lists of active-duty individuals associated with their organizations to provide a single PIN to their list. An additional 46 participants were recruited in this way.[5]

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[4]  The RAND survey was launched about a week after the launch of the DoD survey of all service members. Several organizations initially advised gay service members not to participate in the DoD survey because of concerns about confidentiality and potential bias of the survey items, and confusion with the DoD survey may have affected the response to the RAND survey.

[5]  We hoped that peer-to-peer recruitment would result in long "chains" of participants, and, indeed, we had one chain that extended to 12 waves and ten chains that extended to three or more waves—that is, chains where one person recruits another who recruits another, etc. However, most survey participants recruited no one else or one additional participant. Comparison of the results for participants who entered the sample directly from an organization with those who were recruited by another survey participant indicated few statistically significant differences. A higher fraction of those who were recruited by others reported that they kept their orientation

PINs gave potential survey participants access to the survey website. After entering an eligible PIN, potential participants were routed to a question that asked them to select a category indicating whether they were active-duty military, mobilized Guard or Reserve, nonmobilized Guard or Reserve, a Coast Guard member, a military academy cadet, a retired or separated military member, a spouse or family member, a civilian DoD member, an interested civilian, or other. Only those who stated that they were active-duty military, a mobilized member of the Guard or Reserve, a military cadet, or a Coast Guard member were allowed to take part in the survey.[6] Those who qualified were routed to the first question in the survey, and those who did not were routed to a screen thanking them for their interest and indicating that they were not eligible to participate (without stating the specific reason).

As shown in Figure 9.1, at the end of the survey respondents who said they were lesbian, gay, or bisexual or who said they had friends serving in the military who were lesbian, gay, or bisexual were asked to recruit additional participants who were active-duty military personnel who might be directly affected by the current DADT policy or who work with people who could be directly affected—they did not need to be gay, lesbian, or bisexual to participate, and no specific instructions were given about how to select them.[7] The PIN could be supplied in person, by phone, or through email. As in traditional RDS, each participant was limited in the number of others he or she could recruit—in this case to a maximum of five other people. This is done to minimize the influence of any individual participant on the final sample composition. A traditional RDS survey also asks participants to report the size of their social networks; this information is often used to weight the resulting data to reflect the population being surveyed. However, we did not intend to carry out such weighting and were aware that questions about respondents' social networks might be highly sensitive, so we did not ask such questions. Also, unlike traditional RDS, we did not pay respondents for participating or for successfully recruiting other eligible respondents.

### Sampling Results

Altogether, 351 individuals entered the website, and 268 of them completed the survey. Of these, 208 indicated that they were gay, lesbian, or bisexual.[8] The responses we

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hidden, but it was not a statistically significant difference. We also asked participants whether they had previously completed the survey and excluded one case from analysis as a probable duplicate.

[6]  Each participant was required to read a statement of confidentiality before indicating that he or she wished to take part. Survey participants could skip any question and still complete the survey and could discontinue participation at any point.

[7]  Participants who were part of the sample that came through distribution of a single PIN to a list of vetted individuals affiliated with an organization were not asked to recruit additional participants because the survey was about to end.

[8]  Based on distribution of individual PINs by the groups, a total of 274 individuals entered the website with a qualifying PIN. Of those, 236 qualified for the survey, 232 consented to participate, and 222 completed the

report represent the stated views of these 208 survey participants, and we make no claim that they represent the views of all gay, lesbian, and bisexual service members. Because of the sampling approach we used, many participants may be affiliated to some degree with networks of gay or lesbian military personnel or activist organizations and thus may overrepresent the views of such individuals. In addition, this is a small sample from a population estimated to be almost 50,000 (see Chapter Four). Other potential sources of bias are unknown. However, despite these limitations, ours is the only survey we know of that has collected relevant opinion in a systematic way from gay, lesbian, and bisexual service members.

**Content of the Survey**

The survey was designed to protect military personnel from the risk of identifying themselves as gay, lesbian, or bisexual if they asked someone to participate, if they were asked to participate, or if they themselves participated. Therefore, we specified in describing the survey that the sample consisted of military personnel who were "directly affected by the DADT policy and other military personnel who worked with them" and indicated that respondents did not need to be gay, lesbian, or bisexual to participate. The first part of the survey, which could be completed by anyone, asked about the extent to which respondents were aware of having gay men or lesbians in their units, how these individuals were treated, what effect they thought DADT repeal might have on unit performance, and general views on issues related to DADT and expectations about effects of repeal.

Participants were then asked about their own sexual orientation; if they stated that they were lesbian, gay, or bisexual, they were asked a further series of questions. These included how open they were about their sexual identity within their units, how that might change if DADT were repealed, and the effects that DADT had on their lives. The survey included some questions eliciting their general opinions on DADT. The survey also collected some basic demographic information, such as age, gender, race, and ethnicity; this information was limited so that it could not be used to identify any respondent. The survey took about ten minutes to complete and did not include any open-ended questions. Staff from the DoD Comprehensive Review Working Group and several individuals associated with the cooperating organizations provided valuable comments on the survey design, but responsibility for the content rests with RAND.

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survey—80 seeds and 142 additional recruits. Of these, 170 indicated that they were gay, lesbian, or bisexual. Based on distribution of a single PIN to a list of potential participants, 77 individuals entered the website with a qualifying PIN. Of these, 59 qualified for the survey, 55 consented to participate, and 46 completed the survey. Of these, 38 indicated that they were gay, lesbian, or bisexual. The 170 gay, lesbian, or bisexual individuals who came through individual PIN distribution and the 38 who came through list distribution were included in the analyses reported below, for a total of 208.

We took strong measures to protect the confidentiality of survey respondents. We did not ask for their names or other identifying information, and we obtained a federal Certificate of Confidentiality to protect all data from disclosure after it was collected.

## Key Findings

**Description of Respondents Who Indicated That They Are Gay, Lesbian, or Bisexual**
Table 9.1 shows the demographic characteristics of the 208 RAND survey respondents in comparison with the characteristics of all uniformed service members. We do not expect that the population of gay personnel resembles the full population in service, age, rank, gender, and race/ethnicity; in addition, without knowing the characteristics of all gay personnel, we cannot determine how representative the survey respondents were of the gay military population, so this comparison is only indicative of the diversity of the RAND survey respondents, not their representativeness.

Ninety percent of the respondents who indicated that they were lesbian, gay, or bisexual were lesbian or gay instead of bisexual. The participants were well distributed across age ranges, but the comparison with the DoD population suggests that the sample includes a disproportionate share of officers (O-1 and above). Respondents

**Table 9.1**
**Characteristics of Survey Participants Compared with All Active-Duty and Coast Guard Personnel**

|  | Survey Respondents, n=208 (%) | All Active-Duty and Coast Guard[a] (%) |
|---|---|---|
| Branch of service |  |  |
| Army | 29 | 39 |
| Navy | 27 | 22 |
| Marine Corps | 8 | 14 |
| Air Force | 28 | 22 |
| Coast Guard | 8 | 3 |
| Age |  |  |
| Under 21 | 18 | 16 |
| 22–25 | 27 | 26 |
| 26–30 | 24 | 22 |
| 31–40 | 18 | 25 |
| Over 40 | 13 | 9 |

**Table 9.1—Continued**

| | Survey Respondents, n=208 (%) | All Active-Duty and Coast Guard[a] (%) |
|---|---|---|
| Rank | | |
| E-1 to E-3 | 8 | 25 |
| E-4 to E-6 | 25 | 50 |
| E-7 to E-9 | 2 | 10 |
| W-1 to W-5 | 1 | 1 |
| O-1 to O-3 | 48 | 9 |
| O-4 or above | 15 | 6 |
| Gender | | |
| Male | 80 | 86 |
| Female | 20 | 14 |
| Race | | |
| White | 84 | 71 |
| Black | 2 | 17 |
| Other or mixed | 13 | 8 |
| Unknown | 0 | 5 |
| Ethnicity | | |
| Hispanic | 12 | 11 |
| Non-Hispanic | 88 | 89 |

NOTE: Totals may not add to 100 percent due to rounding.

[a] SOURCE: Active-Duty Master File (including Coast Guard) as of September 30, 2009; file obtained from the Defense Manpower Data Center.

include a good number of midgrade enlisted personnel (E-4 to E-6) but few in the junior (E-1 to E-3) or senior (E-7 to E-9) enlisted grades.

A fifth of the sample is female. This is a higher fraction than in the population of all service members but likely a smaller fraction than in the population of gay service members, one-half of which is estimated to be female (see Chapter Four). The female subsample is too small for us to analyze it separately.

Most respondents reported a current location in the continental United States (Table 9.2). Few (10 percent) were deployed when they completed the survey, but about half reported having been previously deployed to a combat zone or area where they received imminent-danger or hostile-fire pay since September 11, 2001. About a quar-

ter were living in shared quarters on a military installation or ship, and 75 percent were serving in all-male or mostly male units.

Below we describe what the individuals who took our survey reported about their awareness of gay men and lesbians and how they became aware of sexual orientation; how DADT affects gay men and lesbians; how and to whom they currently disclose sexual orientation and how that would change if DADT were repealed; what features of implementing a repeal would be desirable; and what kind of changes they would expect if DADT were repealed.

## Awareness of Gay Men and Lesbians: Telling and Knowing

We asked two questions that together provide a picture of awareness of the gay men and lesbians serving today by others they serve with. The first question asked respon-

**Table 9.2**
**Living Arrangements and Unit Characteristics of Survey Participants**

|  | Percentage of Respondents |
|---|---|
| Current location |  |
|     CONUS | 79 |
|     Middle East | 8 |
|     Other | 13 |
| Deployment status |  |
|     Deployed now | 10 |
|     Previously deployed | 49 |
|     Never deployed | 41 |
| Living arrangements |  |
|     Shared quarters | 25 |
|     Private quarters | 4 |
|     Off-base housing | 66 |
|     Combat/field/other | 4 |
| Gender makeup of unit |  |
|     All male | 9 |
|     Mostly male | 67 |
|     Half and half | 24 |
|     Mostly or all female | 1 |

NOTES: CONUS = continental United States. Totals may not sum to 100 percent due to rounding.

dents to characterize how they mainly behave with others in their military unit, following a typology suggested in previous research on workplace identity management strategies for gay employees (Button, 2004; Chrobot-Mason, Button, and DiClementi, 2001). This question was directed only at respondents who self-identified as gay, lesbian, or bisexual. The second question asked whether the respondent's unit included anyone the respondent knew to be gay or lesbian (including the respondent). Respondents who said "yes" were asked follow-up questions about "the gay man or lesbian you know best (or yourself if appropriate)"—how many others in the unit knew this person was gay or lesbian, how they found out, and how the gay unit member had been treated by the others. This question was directed at all respondents. While respondents who were gay or lesbian may have answered this series of questions in terms of themselves or another gay service member they knew in their unit, we expect that most gay respondents reported on their own experience.

The answers to the first question about the respondents' own behavior in disclosing their orientation within their units are shown in Figure 9.2. Two-thirds of respondents reported that they either pretend to be heterosexual or hide their orientation from other unit members, and most others are selective in deciding to whom and in what circumstances they disclose their sexual orientation.

Answers to the second question about how many unit members are aware when there is a gay person in their unit are displayed in Figure 9.3. Although this question was asked of everyone, the figure shows the results only for those respondents who identified themselves as gay, lesbian, or bisexual. The first bar in the figure shows the results for all gay respondents, the second bar is for the one-third of gay respondents who currently disclose their own orientation to at least some unit members, and the

**Figure 9.2**
**Disclosure of Sexual Orientation Under DADT**
**(percentage of respondents)**
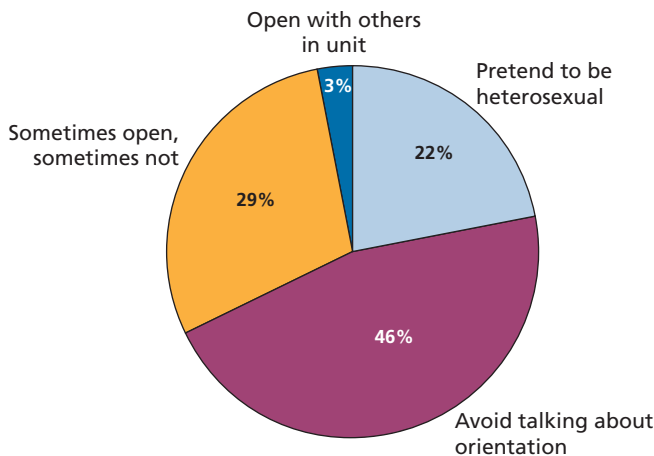
**Figure 9.3**
**Estimated Reported Awareness Among Unit Members That Respondent's Unit Includes a Gay Individual, by Whether Respondent Discloses Own Orientation**
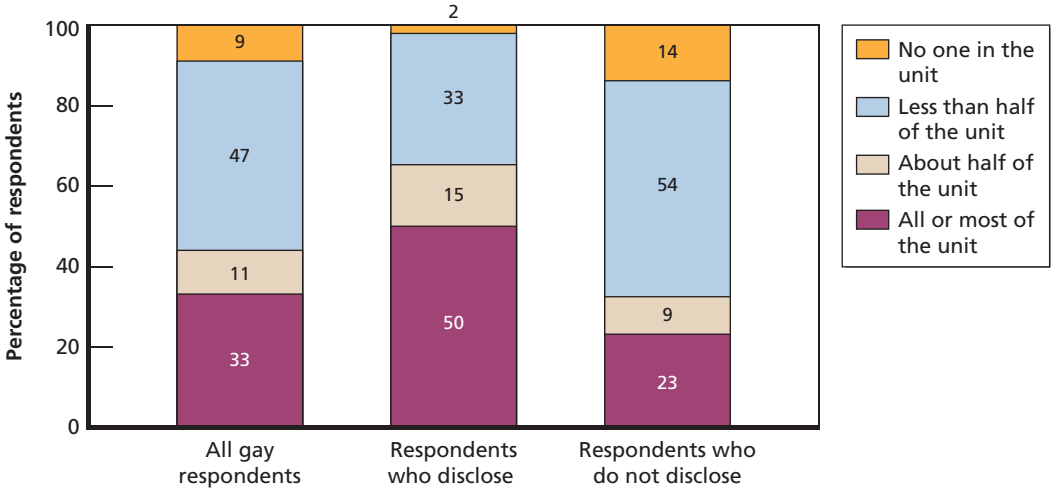


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third bar is for the two-thirds who do not disclose. Overall, respondents reported substantial levels of awareness by other unit members. Among all respondents, only one-tenth thought that no one else in the unit was aware that there was a gay person in the unit. Sixty percent thought that no more than one-half of unit members knew, and one-third indicated that all or most people in their unit were aware that there was a gay or lesbian individual in their unit.[9] As one might expect, Figure 9.3 indicates that respondents who themselves disclose their orientation report more of their unit members knowing that the unit has a gay service member, relative to respondents who do not disclose their orientation. Even so, one-third of the respondents who do not disclose indicated that at least half of their unit members know that the unit has a gay service member.[10] These data make it clear that "knowing" is more common than "telling." This echoes what was reported in focus groups with military personnel, where many people indicated that they knew someone in the military who was gay or lesbian and that this information was often widely known but rarely reported (see Chapter Eight).

Figure 9.4 shows that unit member awareness can be developed in multiple ways (respondents reported all the ways in which they thought awareness came about). In just over half of the cases the gay or lesbian individual told others, but in almost as

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[9]   One person who later identified him- or herself as bisexual indicated he or she did not know anyone in his or her unit who was gay or lesbian. This could reflect that he or she does not identify him- or herself as such.

[10]  Some of these respondents may be thinking about another gay unit member who does disclose his or her orientation. However, since we estimate that less than four percent of military personnel are gay, it is unlikely that many units have multiple gay service members.

many cases it could have become known through a number of avenues: assumption based on how the person looks or acts, direct observation of behavior, participation in a social networking site, or attempts to identify unit members who were gay. Sexual advances were almost never reported to be the reason why others in the unit learn that a unit member is gay. Thus, even when gay service members are discrete, the others with whom they serve may learn about their orientation; again, "knowing" is more widespread than "telling."

Two-thirds of the respondents reported no adverse experiences for the known gay service member in their unit in the past 12 months. (Recall that this person may be the respondent or someone else.) Most of the adverse experiences involved harmful gossip, malicious teasing, or being made fun of. Two percent reported that the gay person had been threatened with physical harm or was actually harmed by someone in the unit, and another 2 percent reported threats or harm from someone outside the unit.[11] Of the 62 cases of harassment of a gay service member reported in the survey, only one resulted in punishment for the perpetrator. Of the remaining 61 cases, 24 were not reported, 21 were reported and resulted in no action, and in the remaining 16 cases the result was unknown. There were 11 cases reported by respondents in which a suspected gay or lesbian was reported to command; of these, three resulted in the person leaving

**Figure 9.4**
**How Unit Members May Have Learned of Sexual Orientation**
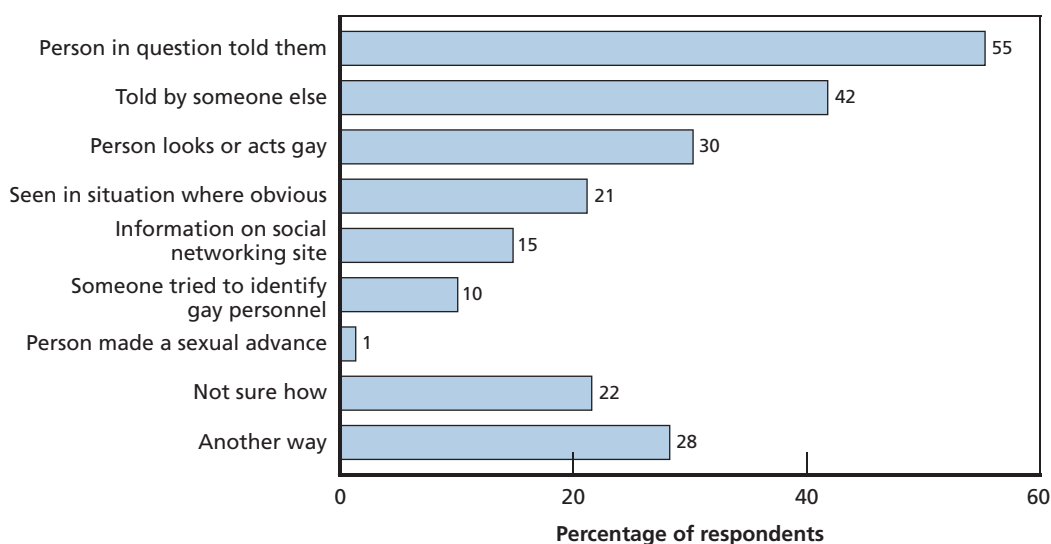


NOTE: Question allowed for multiple answers.

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[11]  There may have been some duplication in reported experiences; for example, the same unit member may have been threatened or harmed by other members of his or her unit or from outside the unit.

the military, and one resulted in exoneration. In the remaining cases, no action was taken or the result was unknown.

**Effects of DADT on Gay Service Members**

To learn how DADT affected gay service members, we asked respondents to agree or disagree with statements about personal costs that they attributed to the DADT policy, including problems with personal issues, relationships with unit members, and stress and anxiety in daily life. Figure 9.5 displays the results. The vast majority agreed that DADT puts gay personnel at risk for blackmail or manipulation and had an adverse affect on their personal and unit relationships. To a much lesser extent, they reported being teased or mocked. A sizeable fraction—35 percent of respondents—attributed mental health problems to DADT. Seven percent reported having been threatened or injured by other members of the military due to their sexual orientation.

   More than half of respondents (55 percent) said that they would not stay in the military unless DADT were repealed, and 67 percent reported being much more likely to stay if DADT were repealed. While we know that attitudes are not good predictors of behavior (see Chapter Six for references to research on this subject), they do represent the seriousness with which gay, lesbian, and bisexual service members view these issues—99 percent indicated that they wanted DADT repealed and replaced with a policy allowing known gay men and lesbians to serve. Regarding an issue often cited in DoD surveys as being important for retention decisions, almost all gay respondents

**Figure 9.5**
**Personal Problems Attributed by Gay Service Members to DADT**
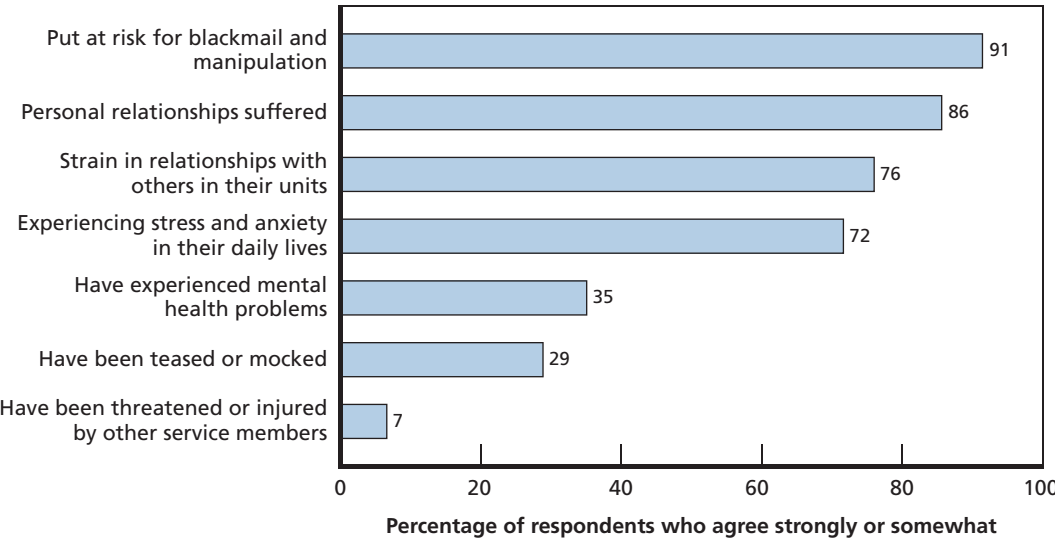
(93 percent) agreed that "Gays and lesbians in the military have dependents who are missing out on opportunities and support systems that other military families can use."

**Disclosure of Sexual Orientation if DADT Were Repealed**

In addition to asking gay respondents about their disclosure behavior now, we asked them how they expected to change their behavior in the event that DADT were repealed. The blue bars in Figure 9.6 reproduce the data from Figure 9.2 on current disclosure behavior alongside the results for expected behavior after DADT repeal. The respondents expect their behavior to change noticeably. One-half of those who now pretend to be heterosexual or avoid talking about their personal lives indicate that they would disclose their orientation selectively, "depending on circumstances and who is involved." Eighty percent of those who disclose selectively now would expect to continue this behavior. Thus, the large majority of respondents said they will continue to be selective in revealing their sexual orientation (as gay men and lesbians are in civilian life—see Chapter Four).

Respondents were asked whether they agreed with the statement "I will wait and see how things go before I make my sexual orientation known to people in my unit who don't know already." Three-quarters of respondents agreed that they would take a "wait and see" attitude before adjusting their behavior. The percentage agreeing with this statement was the same for those who do not disclose their orientation now but expect to do so selectively after repeal, suggesting that changes in disclosure behavior would occur gradually instead of immediately after the policy change.

**Figure 9.6**
**Disclosure of Sexual Orientation Under DADT and Repeal**



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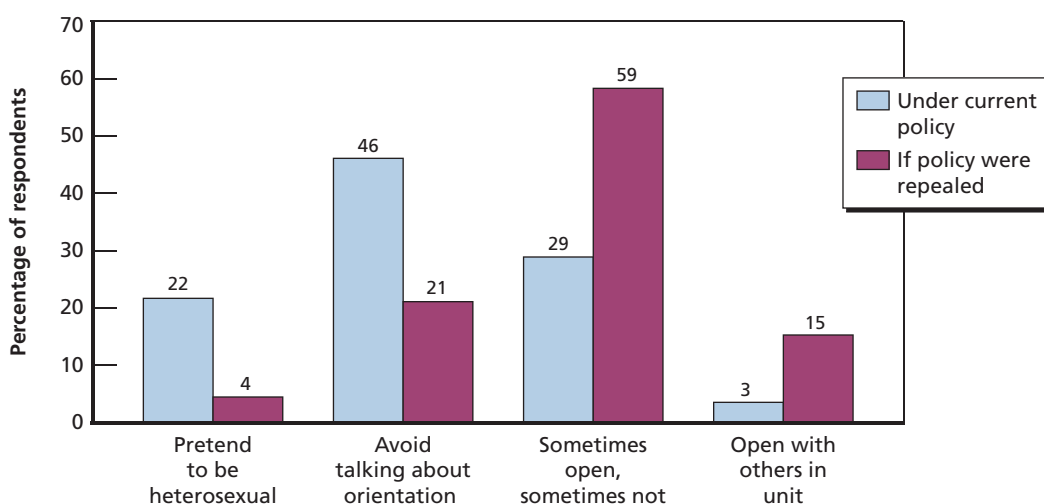
As we noted above, disclosing in this case may be a matter of allowing others to "know," or suspect, rather than actively telling others one's sexual orientation. Participants projected that if DADT were to be repealed, the number of other unit members who know their orientation would double (from an average of 18 to 36). Only 14 percent agreed strongly with the statement that they would like to have their sexual orientation known to everyone in their unit; 13 percent agreed somewhat with this statement, and 44 percent disagreed. The rest of the participants selected a response of "neutral" for this question.

We asked about other behavioral changes that gay respondents anticipate if DADT were repealed. This question referred to behavioral changes of gay service members in general, not specifically to changes the respondents themselves would expect to make. Consistent with the literature summarized in Chapter Four and the survey responses about how unit members currently know the sexual orientation of others in Figure 9.4, gay personnel expect that at least some gay personnel will make other changes in their behavior that will inevitably enhance their visibility to others—allowing others to "know" instead of pretending or hiding their personal lives. The vast majority felt that, if repeal takes place, at least some gay service members might

- bring partners to family events (40 percent agree strongly, and 47 percent agree somewhat)
- expect partners and children to live in military family housing (41 percent agree strongly, and 38 percent agree somewhat)
- expect partners to play the same role as spouses at military ceremonies (33 percent agree strongly, and 43 percent agree somewhat)
- put pictures of their partners in their workspaces (30 percent agree strongly, and 47 percent agree somewhat).

Recall, however, that most respondents expected to wait until they could assess their situation, should repeal occur, before changing their behavior.

**Desired Features of Implementing DADT Repeal**

The "wait and see" attitude expressed by most survey respondents implies that how DoD implements the change in policy, should it occur, will affect how gay service members respond. We asked what features of implementing DADT repeal would make respondents more comfortable about disclosing their sexual orientation, to the extent that they wish to do so. The strongest support was for clear leadership commitment, establishing clear conduct standards for everyone, and enforcing zero tolerance for harassment based on sexual orientation (Figure 9.7). Consistent with this desire for an unequivocal organizational commitment to allowing gay men and women to serve without restriction, there was also very strong support for eliminating the provisions on sodomy from the Uniform Code of Military Justice (UCMJ).

**Figure 9.7**
**Factors That Would Make Respondents More Comfortable About Disclosing Their Sexual Orientation**
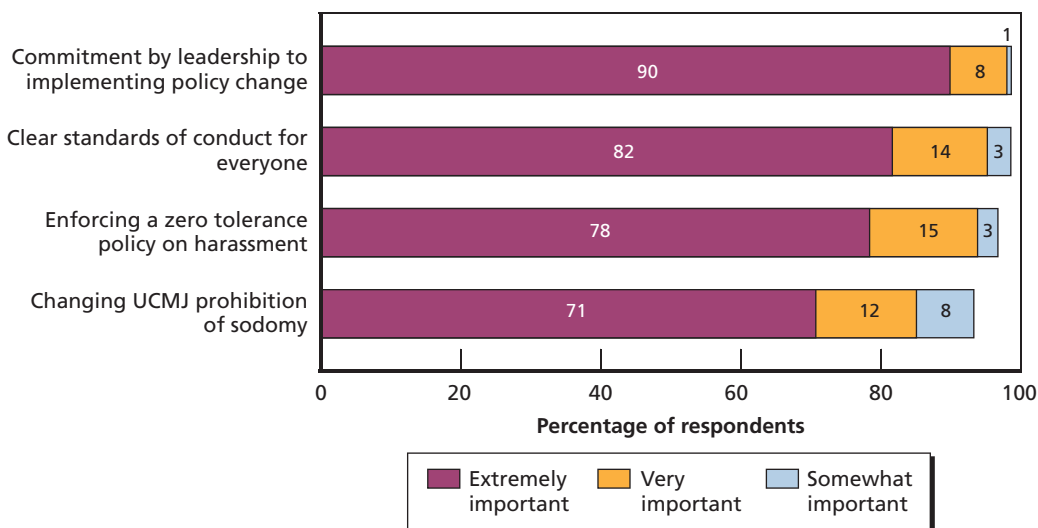
Figure 9.8 shows how important respondents thought various aspects of implementation would be. Consistent with the priority on leadership commitment, respondents thought that there should be training for leaders at all levels on how to implement the new policy and that implementation should be rapid and complete. Just over half said it was very or extremely important that the policy change should be kept low key, and another 30 percent said that this would be somewhat important. Respondents disagreed about whether it would be helpful to require sensitivity training, including information about gay and lesbian history and culture. A majority (60 percent) thought that training was important to some degree, but about one-fifth thought that sensitivity training would actually make implementation more difficult for them.

Almost all respondents wanted guidance provided regarding issues related to partners and children, including making their partners welcome at military events and facilities and clarifying eligibility for dependent benefits. Seventy-eight percent believed that same-sex partners should receive the same benefits that spouses do.

Gay service members strongly disagree that the fears expressed by some nongay service members if DADT were to be repealed will come to pass. In particular, they *disagree* that

- Gay men and lesbians will make frequent, unwanted sexual advances (99 percent disagree).
- Straight service members will be less likely to risk their own lives to help a known gay or lesbian service member (89 percent disagree).

**Figure 9.8**
**Importance of Different Aspects of Implementation to Gay Service Members**
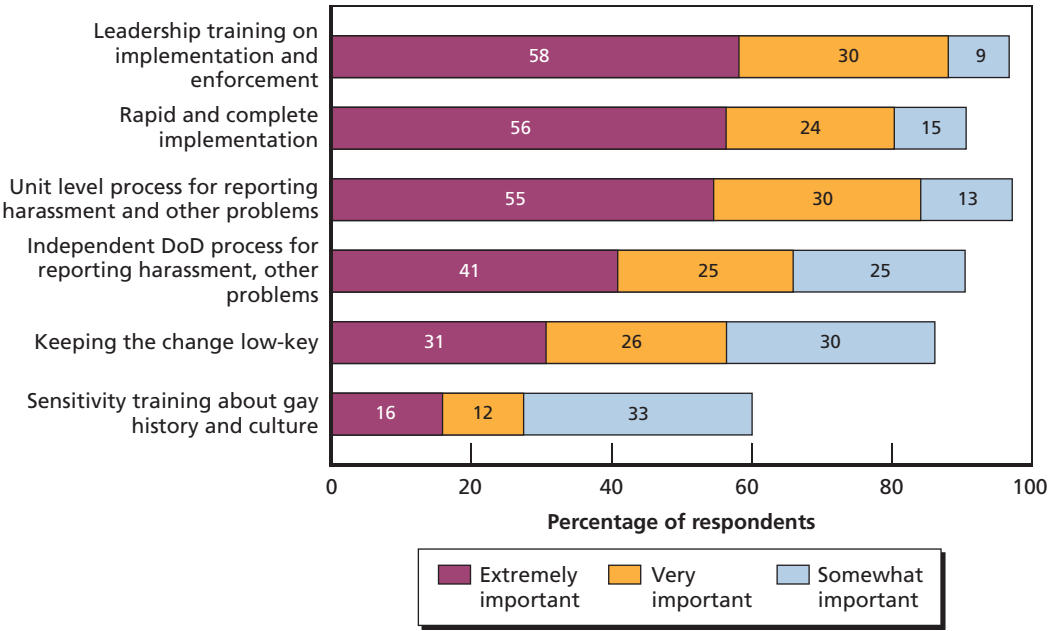
- Many people in the military will not follow orders from someone they know is gay or lesbian (88 percent disagree).
- Gay men in the military will act effeminate (84 percent disagree).
- Having gay and straight people as roommates is always awkward (82 percent disagree).
- Being able to make jokes about gay people is important to the way people get along with each other in the military (67 percent disagree).
- Having known gay men in infantry units is more of a problem than in other types (65 percent disagree).

Respondents expressed some concern about harassment if the sexual orientation of a gay service member were known. About 19 percent of the respondents thought that lesbians who are open about their orientation would be harassed by other military personnel; however, 37 percent thought that men who are open about being gay would be harassed.

In terms of work effectiveness within military units, 61 percent think that repeal of DADT would be a change for the better, and most of the others expect that there would be little or no change. About half (51 percent) of the respondents thought that unit members socializing outside work was important for task performance, but most

agree that it is not necessary for members to like each other in order to get the job done well (85 percent).

Seventy-seven percent agreed with the statement that military chaplains would be expected to be able to counsel gay service members about their personal issues. Opinion was about equally split on whether repeal of DADT would result in large increases in the number of gay men and lesbians in the military (40 percent agreed, and 33 percent disagreed).

## Summary

Almost all of the gay, lesbian, and bisexual military personnel we surveyed said that at least some of the people in their units were aware that the unit included someone who was gay, even as most usually avoided talking about their sexual orientation or pretended to be heterosexual. In almost half of these situations, disclosure of sexual orientation occurred indirectly through others or observed behavior. In units where there is a gay service member known to at least some of the others, respondents reported incidents of malicious gossip and teasing and a few incidents of physical threats or harm, few of which were reported and resulted in punishment. Threats to report an individual to command because of sexual orientation were also noted, but very few individuals were actually reported and forced to leave the military.

DADT was perceived as being personally costly for gay service members and their families in terms of missing out on benefits, harm to personal relationships, strain in unit relationships, and stress and anxiety. In addition, DADT is perceived as putting gay service members at risk for blackmail and manipulation. A substantial majority of gay and lesbian military personnel now serving say they will not be willing to stay in the military if DADT is not repealed.

Most gay respondents currently manage disclosure of their orientation very carefully within their units and either pretend to be heterosexual or avoid discussion of their personal lives, although their orientation does become known in other ways. If DADT were repealed, only one-fourth of them would continue to keep their orientation hidden from everyone; instead, one-half of those now hiding their orientation would sometimes be open about it, sometimes not, depending on the circumstances and the individuals involved. Only 15 percent indicated that they would mainly be open about their orientation with others in their units. Although direct personal disclosure is likely to be nuanced, survey results indicate that gay personnel are also likely to reveal their sexual orientation more indirectly—e.g., by putting pictures of their partners in their workspaces, bringing partners to military family events and ceremonies, and requesting to live with their partners in family housing. However, respondents also indicated that they would take a "wait and see" approach to changing their disclosure behavior.

There was strong agreement among survey participants on the aspects of implementing DADT repeal that would make them comfortable disclosing their orientation, to the extent they wish to do so. The most critical aspects included commitment from leadership, clear and universal standards of conduct, and zero tolerance for harassment. Consistent with the importance attached to these aspects, respondents also strongly supported leader training and clear procedures for reporting and investigating harassment.

Gay, lesbian, and bisexual service members are not concerned about some problems associated with DADT repeal that are often raised by others, including unwillingness to follow orders from gay leaders, awkwardness among roommates, or having straight service members be less willing to risk their own lives to aid a gay unit member. However, harassment is a concern, more so for gay men than for lesbians. Most gay service members think that unit performance would be improved or unaffected by repeal of DADT.

Again, we remind the readers that the respondents to this survey are a small subset of gay, lesbian, and bisexual service members with relatively few junior enlisted personnel represented, and the sample may have other biases of unknown size and direction. However, this is the only systematic attempt we know of to collect the views of the group most directly affected by the DADT policy.

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# The Experience of Foreign Militaries[1]

## Overview

In 1993, RAND examined the experiences of foreign militaries in order to "understand the possible effect of changing policy to permit homosexuals to serve and to examine how other institutions have implemented similar changes" (RAND, 1993, p. 10). Now, in 2010, numerous countries have allowed known gay personnel to serve without restriction for many years, and their experiences may provide useful lessons for the United States. This chapter summarizes the experience of seven foreign countries (including five countries from the 1993 study) and identifies some common themes and lessons that could be useful in shaping and implementing U.S. policies.

In 2010, we visited Australia, Canada, Germany, Israel, Italy, the Netherlands, and the United Kingdom. All these countries allow gay personnel to serve in the military without restriction. They differed in how proactively they implemented this policy, but the content of their policies is quite similar. All manage behavior through codes of conduct applied consistently to all service members without regard to sexual orientation. No country provides any special accommodations for privacy to any of its service members, regardless of their sexual orientation. Leadership plays a critical role, and commanders are expected to manage any issues at the unit level, just as other interpersonal conflicts are managed. Countries vary in the amount of training they require, and none offers separate training on issues related to sexual orientation. We learned of very few formal complaints of harassment based on sexual orientation, even in countries that have collected data on complaints for years.

All the countries have had combat experience since their policies changed, and none reported problems with recruiting, retention, or unit performance that resulted from gay personnel serving without restriction. Some commanders and serving personnel told us that the policy change had actually improved unit performance because gay personnel could now devote their full attention to their jobs. Some commanders also told us that sexual harassment of women by men poses a far greater threat to unit performance than anything related to sexual orientation.

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[1]   This chapter was prepared by Nora Bensahel and Celeste Ward Gventer.

## Study Approach

Our first task was to identify the countries that we would include in this study. We established four criteria for inclusion in order to make the case studies as comparable with the United States as possible:

1. *Allow known gay personnel to serve without restriction*. Since we were tasked to examine implementation issues, we selected only those countries that had experience implementing policies that allowed unrestricted gay service.
2. *Have an all-volunteer force*. We chose countries with professional military forces in order to study any effects on recruiting and retention. We made two exceptions here: for Germany, where conscripts serve for only six months and cannot be deployed abroad without their consent, and for Israel, since it was included in the 1993 study and it meets the other three criteria very well.
3. *Possess recent combat experience*. Selecting countries with combat experience enabled us to assess any effects on unit performance and in some cases enabled us to assess their experiences working alongside U.S. units.
4. *Possess an army, a navy, and an air force*. Countries whose militaries lack one or more of these services are too different to be usefully compared to the United States and would not enable us to determine if policies had different effects on different services.

As noted in our third criterion, we deliberately selected countries with recent combat experience. Foreign militaries currently operate in very different domestic and international environments than they did 17 years ago. Most U.S. allies and partners focused on peacekeeping missions during the 1990s, but during the past decade many have deployed forces to two lengthy wars. Table 10.1 shows that as of August 2010 in Afghanistan, for example, ten U.S. allies contribute more than 1,000 troops each to the International Security Assistance Force (ISAF). These contributions account for almost 28 percent of ISAF's total troop strength. Furthermore, several U.S. allies are conducting high-intensity combat operations in southern Afghanistan. Even though the United States has suffered the most casualties in absolute numbers, Figure 10.1 shows that Australia, Canada, the Netherlands, and the United Kingdom have had a greater percentage of their troops killed than the United States, and Australia and Canada have also had a greater percentage of total casualties (including those wounded).

We used data from the Palm Center to identify the 25 countries that currently allow known gay personnel to serve without restriction (Frank, 2010, p. 136), and, after further research, we identified 14 countries that met all our criteria. We then selected nine of those countries as case studies, and, to draw the most-useful lessons for the United States, we ensured that our final list included countries in which some gender restrictions remain, religion plays an important role in society, and broad social values

**Table 10.1**
**Top Non-U.S. Troop Contributors to the International Security Assistance Force in Afghanistan**

| Country | Troop Strength | Percentage of Total ISAF Forces |
|---|---|---|
| United Kingdom | 9,500 | 7.93 |
| Germany | 4,590 | 3.83 |
| France | 3,750 | 3.13 |
| Italy | 3,400 | 2.84 |
| Canada | 2,830 | 2.36 |
| Poland | 2,630 | 2.19 |
| Romania | 1,750 | 1.46 |
| Turkey | 1,740 | 1.45 |
| Spain | 1,555 | 1.30 |
| Australia | 1,455 | 1.21 |

SOURCE: International Security Assistance Force, 2010.

**Figure 10.1**
**Casualties in Afghanistan as a Percentage of Troops Deployed**
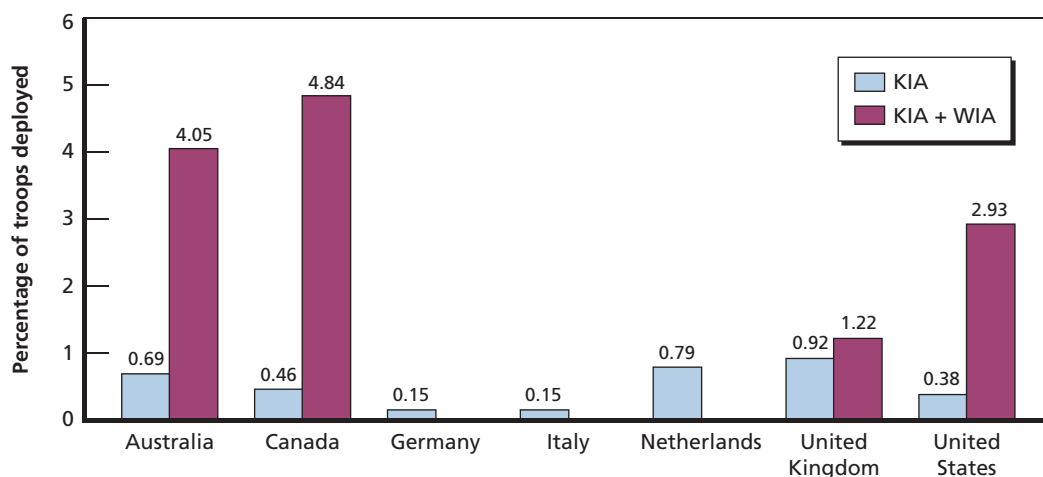


SOURCES: All KIA data: iCasualties.org, 2010. WIA data: Australia: Australian Department of Defence, undated; Canada: Wark, 2010; UK: UK Ministry of Defence, 2010b; U.S.: Martinez, 2010.
NOTES: KIA = killed in action. WIA = wounded in action. The term *casualty* generally includes both those KIA and WIA. WIA data is missing for Germany, Italy, and the Netherlands.
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resemble those of the United States.[2] Two of these countries, France and Spain, did not support our request for a research visit,[3] which left us with seven remaining countries: Australia, Canada, Germany, Israel, Italy, the Netherlands, and the United Kingdom.

We visited each of the seven countries in June and July 2010. As Table 10.2 shows, we requested informal discussions with a wide range of people in each country to ensure that we heard many different perspectives and could identify any possible gaps between stated policies and actual practices. Most countries scheduled all the types of discussions we requested, but our access in Italy and Israel was more restricted, and, therefore, our findings from both countries are more limited. We supplemented information gained from these visits by reviewing published literature and meeting with scholars who have studied the experiences of gay service members in foreign militaries. We also attended an all-day forum at the Brookings Institution on May 19, 2010, called "Lessons Learned from the Service of Gays and Lesbians in Allied Militaries," and met separately with several serving and retired military officers who participated in the event. They provided very useful materials and in many cases were able to suggest people to talk with during our country visits. All material in this chapter comes from these meetings and discussions unless otherwise noted, and we promised confidentiality to those who met with us.

**Table 10.2**
**Discussions Held, by Country**

|  | Australia | Canada | Germany | Israel | Italy | Netherlands | United Kingdom |
|---|---|---|---|---|---|---|---|
| MOD officials and experts | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Officers with command experience | ✓ | ✓ |  |  | ✓ | ✓ | ✓ |
| Serving gay personnel | ✓ | ✓ | ✓ |  |  | ✓ | ✓ |
| Chaplains | ✓ | ✓ | ✓ |  |  | ✓ | ✓ |
| Civilian academics, experts, and advocates | ✓ | ✓ | ✓ | ✓ |  | ✓ | ✓ |

NOTE: MOD = Ministry of Defence or Ministry of Defense.

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[2]   The five countries that we chose not to study are Belgium, Finland, Lithuania, New Zealand, and Sweden.

[3]   France replied to our visit request with only a short summary of its current policy, and Spain did not reply to our visit request.

## Individual Country Experiences

This section summarizes the findings from each of our country case studies. The descriptions of each country are structured in the same way, first identifying the reasons for the policy change, then examining how the policy was implemented, and finally analyzing the effects of the policy change.

### Australia

**The Australian Policy Change.** Prior to 1986, the Australian Defence Force (ADF) did not have an official published policy on gay personnel serving in the military. The ADF clarified its stance in 1986 by promulgating Defence Instruction Personnel 15-3, which stated that homosexual behavior is not "accepted or condoned" in the ADF and that the penalty for this behavior could include expulsion. However, this policy was not always enforced, and commanders were able to exercise some discretion (Brown, 1992).

In the late 1980s and early 1990s, Australian gay rights groups and gay service members who complained of ill treatment in the ADF began increasingly to get the attention of Australian politicians and policymakers (Milne, 1988, p. 2). The Defence Force and Commonwealth ombudsman in the late 1980s, Dennis Pearce, received a number of complaints from service members concerning perceived discrimination and harassment in the ADF on the basis of sexual orientation (Milne, 1988, p. 2). In 1988, he sent a letter to the Chief of the Defence Force (CDF), General Peter Gration, requesting that the ADF reexamine its policy. A debate ensued, and Pearce announced in 1989 that this was a social issue best addressed by members of Parliament. At the same time, the CDF released a statement that gay service members would not be accepted in the ADF because of the health risk they posed (i.e., the potential spread of hepatitis B and AIDS), the need to protect young people from sexual advances, and the security risk posed by the potential for blackmail of gay service members (Washington, 1989).

In 1990, a female member of the Army Reserve complained to Australia's Human Rights and Equal Opportunity Commission (HREOC) that she had been discharged by the ADF as a result of discrimination on the basis of her sexual orientation (Smith, 1995, p. 544). The HREOC—now called the Human Rights Commission—was established by an Act of Parliament in 1986 and is an independent statutory body that investigates alleged infringements of Australia's antidiscrimination legislation. The HREOC was established as part of a broader effort to bring Australian law and practice into greater alignment with international human rights standards and the international treaties to which Australia was a signatory, such as the International Covenant on Civil and Political Rights and the Convention Concerning Discrimination in Respect of Employment and Occupation (Australian Parliament, 1986, p. 80). The need to bring Australia into compliance with these treaties was one of the major arguments advanced for changing the ADF's policy on sexual orientation.

While the commission was not empowered to force a change, it did approach the ADF to discuss possible adjustments to the policy. In early 1992, the Australian Department of Defence (DOD) drafted a new potential policy that would replace the ban on gay service members with a broader set of norms to govern sexual behavior, regardless of orientation. But opposition and concern inside the ADF prevented this proposal from being implemented immediately, and several months of sometimes acrimonious debate—both internal to government and in the media—ensued (Lagan, 1992, p. 3). A survey of ADF personnel suggested that 80 percent or more were opposed to lifting the ban (Smith, 1995, p. 545).[4]

Inside the Australian government, there was substantial division even within the governing Labor party. Then–Defence Minister of Science and Personnel Gordon Bilney strongly favored ending the ban and worked toward this end. But some members of Parliament vociferously opposed allowing gay ADF members to serve openly, with one (a Labor MP) even proposing an amendment to the 1986 Human Rights and Equal Opportunities Act that would exempt the ADF from its provisions (Connolly, 1992a). Others deemed ending the ban a "crazy proposal" (Lagan and Harvey, 1992, p. 1). The Federal Cabinet was split on the issue, with then–Attorney General Michael Duffy arguing that the gay ban violated international human rights norms, and then–Defence Minister Senator Robert Ray siding with Defence chiefs against changing the policy, arguing that there was "overwhelming opposition" inside the Defence Force to allowing known gay personnel to serve (Connolly, 1992c). In June 1992, Senator Ray announced that the ban would continue indefinitely.

But this decision was met with vociferous opposition by gay rights groups and others, who promised to continue the fight and issue court challenges (Connolly, 1992b). Rancorous public debate continued. Australia's largest veterans organization, the Returned Services League (RSL), led the charge in support of the ban, arguing that allowing gay personnel to serve openly in the ADF would "shatter" unit cohesion. Furious letters to newspapers declared that allowing gay personnel to serve in the ADF was a "lunacy" that would destroy cohesiveness and trust and turn the Army into a "national reservoir for the ongoing transmission of the AIDS virus" ("Storm over Homosexuals in Armed Forces," 1992, p. 12). Australia, some warned, would become "the laughing stock of the world" ("Storm over Homosexuals in Armed Forces," 1992, p. 12).

The uproar following Senator Ray's decision in June 1992 to maintain the ban provoked the Labor Caucus to establish a committee to review the issues further. Meanwhile, the impending move of Canada to remove its gay ban was noted by advocates (Kingston, 1992, p. 6). The Parliamentary Research Service conducted a review of the issues and arguments on both sides, noting that the choice came down to "one between a likely decline in military effectiveness, though of uncertain scope or duration, and (as the alternative) a loss of national and international credibility as a demo-

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[4]   RAND researchers were unable to obtain a copy of this survey at the time of writing.

cratic and tolerant nation" (Brown, 1992, p. 10). In September, the Caucus committee recommended lifting the ban. In late November 1992, Prime Minister Paul Keating announced that the Cabinet had reached a decision to overturn the ban on gay service members in the military, effective immediately.

Advocates were overjoyed, and those opposed expressed anger and concern. The RSL national president declared the decision "stupid" and warned that it would seriously damage "morale, discipline, and cohesiveness" in the ADF and "probably lead to violence against homosexuals" (Allen, 1992). A Cabinet spokesman, however, declared that if Australia did not lift the ban, it would be left behind, as Canada had lifted its ban on gay personnel in the Canadian Forces that same month, and newly elected U.S. President William Clinton was expected to "pave the way for gay reform in the United States" (Diaz, 1992, p. 7).

**Implementing the Policy.** We were told that no formal implementation procedures were established when the policy changed. Serving ADF members of the time recall either no announcement at all or an informal brief by local commanders. A 1993 GAO report suggests that command briefings "were held throughout the chain of command," but we were unable to find corroboration of this claim or examples of the training materials (U.S. General Accounting Office, 1993, p. 19). Instead, it seems that implementation remained the responsibility of individual commanders. We met with one Australian Department of Defence official who said that the policy "was changed and was implemented in 1992, without information publications, and [without] implementation strategy or additional training. . . . The lifting of the ban was, and continues to be, a non-issue."

The ADF requires annual equity and diversity training for all service members, which includes an optional module on "Understanding Homosexuality." The equity and diversity training does not call out the issue of sexual orientation specifically but rather emphasizes that every member of the force should be treated equally with dignity and respect (Australian Department of Defence, 2010).[5]

The ADF did not offer same-sex partner benefits for more than 12 years after the policy changed. Several important pieces of Australian legislation have long recognized "de facto relationships," which are somewhat analogous to common-law marriages. While the definitions of this term varied across the laws, they generally stipulated that partners were members of the opposite sex. In 2005, when DOD determined that it would offer benefits to same-sex partners, it deliberately used the term "independent partnerships," which did not require that the couple be heterosexual.[6] Gay marriage

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[5]  During our discussions, one person stated that "the training does not specifically say how we should treat homosexuals any more than it says how we should treat people with diabetes—the point is that everyone is treated equally."

[6]  In 2007, after the Labor government took office, many of these laws were changed so that de facto partnerships now include two partners of any sex.

remains unrecognized in Australia, but gay couples now have virtually the same rights and benefits as married couples.

**Effects of the Policy Change.** There have been no known effects of the policy change on the ADF. During our discussions, one person told us that the policy was "implemented not with a bang, but a whimper." As one of the primary Australian scholars on the issue puts it,

> Despite earlier threats of mass resignation from the Defence Force, no such thing occurred. Nor has there been any clear evidence of gay-bashing among soldiers, despite the occasional homophobic talk. The only visible reaction was that the government lost votes among the military at the general election held in March 1993—presumably in part as a result of the decision. (Smith, 1995, p. 546)

The policy change did not lead to a mass coming out of gay service members. Instead, serving gay members came out at their own pace, and very slowly, and some have likely chosen not to come out at all.

There have been no known effects on recruiting, retention, or operational performance. ADF personnel have served in several recent combat missions, including Iraq and Afghanistan. As Figure 10.1 shows, Australia trails only Canada in the total number of casualties in Afghanistan as a percentage of troops deployed. In these conflicts, there have been no known reports of reduced morale due to the presence of soldiers known to be gay, many of whom routinely fight alongside U.S. counterparts.

There have not been wide-scale instances of harassment of gay service members, though incidents do happen and are handled through the chain of command. Local commanders are directed to investigate any reported incidents immediately and take whatever administrative action may be required. If service members feel they have not received the desired degree of responsiveness or resolution, they can take their cases to the DOD's Fairness and Resolution Branch, which can intercede to protect a victim of harassment. Yet few of the people we spoke with—including personnel from all three military services and from line infantry units in the Army—could recall any personal experiences in which a gay service member was harassed or the sexual orientation of any member of their unit had become an issue in any way.

### Canada

**The Canadian Policy Change.** As described in the 1993 report, Canadian policy toward gay personnel in the military evolved during a period of increasing human rights protections (RAND, 1993, pp. 74–77). The 1978 Canadian Human Rights Act and the 1985 Canadian Charter of Rights and Freedoms identified a range of individual rights and protections against discrimination based on race, ethnic origin, sex, age, and other characteristics. Sexual orientation was not explicitly included in either document, but later parliamentary actions and court decisions used these documents as the basis for prohibiting discrimination based on sexual orientation (RAND, 1993, p. 75).

In March 1986, the Chief of the Defence Staff (CDS) formed the Charter Task Force to determine how the Canadian Forces (CF) would need to adjust to the provisions of the charter. As part of its work, the Charter Task Force commissioned "a CF-wide survey of the potential reactions and attitudes of CF members towards homosexuals in the CF environment" (Zuliani, 1986, p. 2). Table 10.3 shows selected results from the survey, which revealed widespread opposition to allowing gay personnel to serve in the CF and predictions of significant negative consequences from the same. The report on the survey concluded that

- "There should be severe problems integrating known homosexuals into the CF, particularly in the Land and Sea operational units, with a resulting adverse impact on cohesion."
- "Any of [the predicted] impairments to cohesion and morale would cause personnel problems; taken together they constitute a serious threat to military effectiveness."
- Allowing gay individuals to serve would have an "overall negative impact on recruiting. . . . There is also some evidence that allowing homosexuals in the

**Table 10.3**
**Selected Results from the 1986 Canadian Charter Task Force Survey**

| Subject | Results |
|---|---|
| Overall policy | 87 percent of respondents said that homosexuals should not be enrolled in the CF, although their reasons varied. |
| Effectiveness | 80 percent of self-identified heterosexual male respondents and 47 percent of heterosexual female respondents believed that employing homosexuals in the CF would decrease its effectiveness. |
| | 55 percent of respondents from the Land Operations group responded that employing homosexuals would greatly decrease the effectiveness of the CF. |
| | Less than 2 percent said that employing homosexuals would increase CF effectiveness. |
| Recruiting | 27 percent of male and 16 percent of female recruits and officer candidates said that they would not have joined the CF if there had been a policy permitting employment of homosexuals in the CF at that time. |
| | Those who agreed with the statement that they would be less likely to recommend service in the CF if homosexuals were permitted to serve ranged from a low of 18 percent of female recruits to 56 percent of men serving in the Land and Sea Operations groups. |
| | Only 1 percent of heterosexuals said that they would be more likely to recommend joining the CF if homosexuals were allowed to serve. |
| Harassment | 71 percent of those in the Land Operations group and 61 percent of the Sea Operations group strongly agreed that there would be physical violence between known male homosexual service members and heterosexual service members. |
| Privacy | 62 percent of men and 41 percent of women said that they would refuse to share shower facilities or sleeping accommodations with same-sex homosexuals. |

SOURCE: Zuliani, 1986, pp. 24–26, 36, 40.

NOTE: This report provides only selected results from the survey and does not include the original data.

CF will cause some current servicemembers to leave the CF." (Zuliani, 1986, pp. 36, 43, 45)

Although the survey was later severely criticized for methodological problems and biased interpretations,[7] it became an important input to the deliberations of the Charter Task Force. The final survey report, which was released in September 1986, recommended that the CF continue its policy of excluding gay men and lesbians from military service because the presence of known gay service members would undermine operational effectiveness, morale, discipline, recruiting, medical fitness, and rights to privacy. The Minister of National Defence accepted this conclusion, and the policy remained unchanged. In January 1988, the policy was modified so that personnel who were found to be gay would be allowed to remain in the CF but only under severe career restrictions that prevented them from being transferred, promoted, or retained once their contracts ended (Park, 1994, p. 168; RAND, 1993, p. 76).

In 1989, an Air Force lieutenant named Michelle Douglas sued the government, claiming that her rights under the 1985 charter were violated when an investigation of accusations that she was a lesbian resulted in her security clearance being revoked and career restrictions being imposed. As the case made its way through the court system, the CF determined that it would not be able to make a convincing legal argument to sustain its policy and decided to settle the lawsuit (Park, 1994, pp. 168–171). According to the terms of the settlement, on October 27, 1992, the Federal Court of Canada declared that the CF policy violated the 1985 charter, and that same day, the Chief of the Defence Staff revoked all previous policies that restricted gay service (RAND, 1993, pp. 76–77). Gay individuals who entered the CF after the charter was adopted in 1985 and were forced to leave under the policy were allowed to reenter the CF. For those still serving, career restrictions were lifted retroactively, and they were placed in the positions that they would have otherwise held.

**Implementing the Policy.** The new policy went into effect immediately, and two key implementation documents were issued within a few weeks. First, the Assistant Deputy Minister for Personnel in the Department of National Defence (DND) issued a letter to commanders on December 10, 1992, that called on them to "communicate the rationale for the change, encourage its acceptance, and respond to the personal concerns of CF members" (Canadian Assistant Deputy Minister for Personnel, 1992). The letter provided several suggested talking points and was accompanied by a more detailed question-and-answer document to help commanders communicate the new policy in a consistent way (Canadian Assistant Deputy Minister for Personnel, 1992).

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[7]    Franklin C. Pinch, then director of personnel psychology and sociology in the Department of National Defence, asked Connie Kristiansen, an associate professor of psychology at Carleton University, to conduct an independent review of the Zuliani report on the survey. She found that, "[t]aken together, the theoretical, methodological, and statistical shortcomings suggest that the conclusions of the report have little, if any, scientific validity" (Kristiansen, 1989).

Second, on December 18, 1992, the CF issued Canadian Forces Administrative Order (CFAO) 19-36, "Sexual Misconduct," which identified policy and procedures to be followed in cases of inappropriate sexual conduct.[8] The order applied equally to all CF members: It made no distinction between gay and heterosexual behavior and did not include any accommodations for either gay or heterosexual personnel.

Also shortly after the policy change, the CF instituted a special training program called SHARP (Standard for Harassment and Racism Prevention). SHARP addressed broader issues of many kinds of harassment, and sexual orientation was addressed within the context of racial, ethnic, gender, and sexual harassment. SHARP was mandatory for all serving CF personnel and new entrants, and it continued for several years until the MOD could verify that every service member had participated in it. SHARP was then phased out, and harassment and diversity training became a regular part of both initial entry training and ongoing leadership training. During our discussions with CF personnel in Canada, many of those who had served in the early 1990s noted that the training had increased their awareness of what they were saying and the effects their comments could have on others. One video clip made a particularly strong impression on many of these personnel, who correctly recounted it to our research team despite having seen it more than 15 years ago.[9]

Commanders were and are expected to manage any problems or conflicts at the unit level, as part of their general unit management responsibilities. All CF units currently include trained harassment advisors, who provide information and resources to unit members about all forms of harassment and who help commanding officers resolve informal complaints. Anyone who wishes to file a formal harassment complaint must put it in writing and submit it to their commanding officer, to the CF ombudsman, or to the Office of the Chief of the Defence Staff. Our discussions in Canada suggest that currently serving gay personnel generally trust that any complaints, whether formal or informal, will be addressed fairly and effectively. The CF's harassment complaint tracking system shows no formal complaints involving sexual orientation since tracking began in 2000. There have also been no courts martial since 2000 for either sexual misconduct involving gay personnel or for improper behavior toward gay personnel (Frank, 2010, p. 60).[10]

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[8]  CFAO 19-36 was meant to be used in tandem with CFAO 19-39, "Personal Harassment," which had been issued in December 1988. Both CFAOs are reproduced in Appendix E of RAND's 1993 report.

[9]  The video begins with a family looking at the moving van in front of the house next door, and the mother and father start to speculate about what it will be like to have "them" next door. For example, the son wonders whether the people will have kids, and the mother responds that if they do, the son is not allowed to play with them because she does not believe in what they teach their kids. The father states that they do not like outsiders and tend to stick to themselves. The parents also speculate that they will throw a lot of parties and that they "drink like fish." At the end of the clip, a car pulls up to the house, and a man and a woman, both wearing CF uniforms, step out of the car holding boxes. Materials provided to RAND by DND.

[10]  Data current as of summer 2009.

The CF did not extend benefits to same-sex partners when the policy changed in 1992, but it changed its policies as Canadian laws evolved. In 1996, a federal tribunal ruled that same-sex partners of federal employees, including CF members, must receive the same benefits as heterosexual common-law couples, so the CF changed its policies. Common-law couples who have lived together for one year are automatically considered to be married for legal and tax purposes, but they must declare their status to the CF if they wish to receive partner benefits. Since Canadian provinces offer different benefits to their residents, the CF offers all of its personnel any benefit that is available in any province so that all CF personnel receive at least the same benefits that they would as a civilian at home.

Housing policies allow same-sex couples to live together in base housing, and some choose to do so. However, these policies also entitle single CF personnel to live in base housing and rent unoccupied rooms to other service members or civilians, which makes it more common to see two (or more) people of the same sex living together. We were told that about 15 percent of CF service members live in base housing, while the rest choose to live in local communities.

Canadian chaplains reported no problems with known gay personnel serving in the military. They define their role as ministering to those from the same denomination, facilitating worship for others, and caring for all. When the policy changed in 1992, many chaplains were concerned that they would be required to bless same-sex unions or, after 2005, to perform same-sex marriages. However, chaplains must adhere to their denominational beliefs and may not perform any actions that are inconsistent with those denominational beliefs. They may also individually refuse to perform same-sex marriages even when authorized by their denomination. In any case in which a chaplain cannot fulfill someone's needs, the chaplain is obligated to provide a referral to someone who can. Chaplains are screened during their training for their ability to work in a pluralist environment, and those who indicate that they would have difficulty working with or under the supervision of any group of people (such as gay men or lesbians, women, or Muslims) are not selected.

Women have been allowed to serve in the CF since 1989, so they had just started being integrated into the military when the policy on gay personnel changed three years later. During all of our discussions, there was a widespread consensus that it has been much more challenging to integrate women into the CF than it has been to integrate gay personnel. Every time women were allowed to serve in a new role, such as in combat units or on submarines, there were complaints and concerns about equity and reconfiguring facilities. Even today, harassment incidents between men and women occur regularly, and these incidents are perceived as a far greater threat to unit effectiveness that any issue involving gay service members. Some of the people with whom we met speculated that the challenges of integrating women into the CF may have unintentionally facilitated the process of integrating gay service members, since they posed very few problems in comparison.

**Effects of the Policy Change.** Both the 1993 RAND report and a 1993 report by the U.S. General Accounting Office found that no major problems emerged during the first few months of the new policy (RAND, 1993, p. 79; U.S. General Accounting Office, 1993). Our research extends this finding, since we found that no major problems emerged during the past 17 years. Despite the predictions of the 1986 Charter Task Force Survey, there have been no known effects on units or their operational performance. Unlike 1993, when Canada used its military primarily in peacekeeping operations, today, Canadian forces are actively involved in high-intensity combat operations in southern Afghanistan. There are no signs that Canadian units deployed to Afghanistan have been limited in any way by the presence of known gay service members (Irwin, 2009, p. 504).[11] Additionally, our discussions suggested that CF personnel do not face any problems working with U.S. personnel despite their differing policies on sexual orientation—which is consistent with the fact that U.S. personnel have served under Canadian command in southern Afghanistan.[12] However, several gay service members told us they had concerns about accepting training opportunities or assignments in the United States because they feared that they would have to hide their sexual orientation in order to be accepted by their U.S. colleagues. One person chose not to accept a prestigious assignment in the United States because partner benefits would not be available.

There were also no known effects on recruiting and retention, but there is no way to know for sure. Data from the early 1990s do not show any downward trends in these areas, but force reductions during that same period make it impossible to isolate any effects of the policy change. At some point, however, the recruiting focus shifted from concerns about possible negative consequences of allowing gay people to serve in the military to a more proactive effort to reach out to the gay community and other minority communities. These efforts are designed to show that the CF is a diversity employer of choice and to make the CF more demographically representative of Canadian society. For the past few years, the CF has sponsored recruiting booths at gay pride parades throughout the country, and since 2008, CF personnel have been allowed to march in uniform.

Some gay CF personnel chose to reveal their sexual orientation shortly after the policy changed, but many waited for several years or more, and some still choose to keep it private. Some waited until they had demonstrated that they were good at their

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[11]  A recent study of Canadian forces serving in Afghanistan found that soldiers categorize each other based on observed personal characteristics rather than demographic categories:

> Soldiers who were hard working, physically tough, and reliably good-natured were respected and accepted, regardless of any other characteristics. . . . [T]here was suspicion and dislike of soldiers who were not prepared to contribute fully and of those who were unwilling to share in the social life through commensality, joking, and appropriate discourses of complaint. (Irwin, 2009)

[12]  Canada, the Netherlands, and the United Kingdom have rotated command of Regional Command South since it was established in 2006.

jobs and had earned respect from their peers before revealing their sexual orientation. Even today, some personnel make their sexual orientation known only when they file the paperwork necessary to secure benefits for their partners. DND officials could not recall any cases of flamboyant or inappropriate behavior, which suggests that any issues that did arise were effectively handled at the unit level.

### Germany

**The German Policy Change.** The 1993 report found that the Bundeswehr (the German military) had different policies about gay service for its conscript force and professional force.[13] Conscripts were not asked about their sexual orientation during their induction interviews, but if any issues related to sexual orientation arose during the interview (such as voluntary statements or perceived gay mannerisms), interviewers could require an additional evaluation. Individuals could then be exempted from the conscript service if the physicians or psychologists determined that they would have trouble adapting to military service. The professional force, which includes commissioned officers and NCOs, did not accept personnel who were known to be gay because it was believed that soldiers would not respect them as leaders and that this would undermine military effectiveness. Once in service, those who were discovered to be gay were evaluated on an individual basis. Those who had served for less than four years were likely to be separated from the force. Those who had served for more than four years were likely to be allowed to remain in the force until the end of their contract period, but they were prevented from serving in leadership and training positions. The 1993 report concluded that the Bundeswehr felt no pressure to revisit its policies in this area (RAND, 1993, pp. 83–84).

In 1995, Germany deployed forces outside its borders for the first time since World War II. Germany contributed forces to the North Atlantic Treaty Association (NATO) operations in Bosnia throughout the late 1990s and then deployed forces to Kosovo starting in 1999. These deployments made it more difficult for soldiers to keep their sexual orientation private, since they were now living together for long periods rather than short training exercises and since they had to keep in touch with their partners back home. Protecting personal privacy is a strongly held value in Germany because of the legacy of World War II, and these ongoing deployments raised numerous privacy issues for the Bundeswehr.

In 1999, Lieutenant Winfried Stecher sued the German government. Stecher was highly regarded as a soldier and a leader and was serving as a trainer. Stecher was directly asked whether he was gay, apparently after some rumors that he had been

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[13] Germany retains a conscript force today, but conscripts serve for only six months and cannot be deployed outside Germany without their permission. The German Defense Minister recently issued a proposal to phase out mandatory conscription starting in mid-2011 as part of a governmentwide effort to reduce spending, but it is not yet clear whether that proposal will become policy ("Germany Shortens Conscription from Nine to Six Months," 2010; Lindsey, 2010).

going to gay bars circulated, and he said that he was. He was quickly removed from his position and transferred to an administrative position in which he would have no supervisory responsibilities. His trainees signed a petition asking for Stecher to be returned to his training position, and his former commanders also signed letters on his behalf, but the decision remained unchanged. Stecher's lawsuit claimed that his constitutional rights to human dignity, personal freedoms, equality before the law, and equal citizenship had been violated.

As Stecher's case made its way through the legal system, the German military learned that the European Union (EU) was preparing a directive providing for equal treatment for all EU citizens in employment issues, which would specifically prohibit discrimination on the basis of sexual orientation.[14] Directive 2000/78/EC, which was formally adopted in November 2000, permitted militaries and other security services to exclude "persons who do not have the required capacity to carry out the range of functions that they may be called upon to perform with respect to the legitimate objective of preserving the operational capacity of those services" (Council of the European Union, 2000). Thus, militaries could exclude gay people from service if the militaries could demonstrate that gay people lacked the "required capacity" to perform effectively, thereby shifting the burden of proving fitness to serve from the individual to the military. When confronted with this impending directive, and with the Stecher case still pending, the MOD chose not to try to defend its policy and decided not to wait for the directive to come into force.[15] On July 3, 2000, the Chief of the Defense Staff issued a memo that consisted of two sentences—one revoking the previous policy and one stating that no assignment restrictions remained (Kujat, 2000).

**Implementing the Policy.** The policy change was very sudden and very simple. Because the decision to change the policy was made at the highest levels of the MOD, there was no opportunity for public debate or resistance from military personnel. On December 20, 2000, the MOD issued a document for commanders called "Dealing with Sexuality." It makes clear that codes of conduct apply to all, regardless of sexual orientation, and emphasizes existing policies, such as prohibitions against sexual harassment and respect for privacy. It also states that tolerating the sexuality of others is a key component of successful leadership and provides some guidance for commanders on preventing problems and enforcing the policy. The policy does not include any

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[14] EU member states are required by law to adopt EU directives within a specified period of time, but, unlike with other forms of EU legislation, member states can choose their own legislation and procedures to achieve the objectives set forth in directives. If member states do not adopt legislation and achieve the directive's objectives in the specified period, the European Commission can enforce compliance through the European Court of Justice.

[15] It is unclear whether this decision was affected by the contemporaneous preparations to integrate women more fully into the force. The Bundeswehr previously allowed women to serve only in units that did not require the utilization of weapons, which effectively limited them to serving in the medical fields and in military bands. After a legal challenge, the European Court of Justice ruled in January 2000 that a 1976 EU directive prohibiting gender discrimination in employment also applied to the armed forces. Women started being evaluated for service in summer 2000, and the first women entered the previously restricted positions in January 2001 (Kummel, 2002).

special accommodations for either gay or heterosexual personnel (Kujat, 2000). In July 2004, the MOD issued a new set of regulations on disciplinary measures and filing complaints, which included a specific section on issues related to sexuality. It reaffirms that such issues are only relevant to the Bundeswehr if they disturb the functioning of the unit, and it provides guidance on when disciplinary action should and should not be taken (German Ministry of Defense, 2004).

Commanders are expected to manage any conflicts at the unit level, and complaints can be filed up the chain of command. Each unit has an equal rights representative who must be a female soldier, is elected by the unit's female soldiers, and serves for a four-year term. These representatives do not focus solely on gender integration; they serve as a resource for all soldiers, male or female, who want to file a complaint or need additional assistance of any kind. Commanders can also ask the representatives to help identify any problems or issues within the unit. This program is still quite new, having just started its second round of four-year terms, and the representatives are often fairly low in rank because women have only been allowed to serve for ten years.

The German military also has a very robust independent complaint procedure. All Bundeswehr personnel have the right to file complaints of any sort with the independent Parliamentary Commissioner for the Armed Forces (commonly abbreviated as PC), a position established in 1956 in order to protect the basic constitutional rights of German military personnel and prevent the abuses of the Nazi period from recurring. The Bundestag (the lower house of Parliament) elects the PC every five years and has always elected a serving member of the Bundestag, who then immediately resigns his or her seat. The PC has considerable investigatory powers and can initiate investigations on his or her own authority in addition to responding to complaints. The PC cannot directly order changes in the MOD but usually develops a good working relationship with the minister and publishes an annual report that can call attention to any unresolved issues or persistent problems (Gleumes, 2005).

The PC receives about 6,000 complaints a year on subjects that range from very serious harassment allegations to requests for additional resources in a specific area. Out of approximately 60,000 complaints that the PC has received since the policy change in 2000, only 50 have involved sexual orientation. According to PC staff members, seven of these complaints involved securing partner benefits, five asked for additional information or support resources, four involved soldiers who complained that they were suspected of being gay but were not, and three involved issues related to security clearances. Nine involved individuals who complained that they had been disadvantaged by being gay, although no complaint was confirmed after investigation. The remaining 22 cases involved some form of discrimination or bullying, and only a handful of these involved physical abuse or other severe harassment. Our discussions in Germany suggest that gay service members generally trust this complaint system, but there is some concern that individual commanders at the unit level do not always treat complaints consistently.

Gay marriage is not recognized in Germany, but registered partnerships became legal in 2001, and partners of any gender receive many of the same benefits as spouses. We were told that registered partners have to pay significantly more for health insurance for an unemployed partner than they would for an unemployed spouse, but this is a national issue, not specifically a military issue. We were also told that the only difference for the military is that personnel in registered partnerships receive €100 less per month than married personnel. Most personnel live in local communities, although some family housing is available. No one, not even the most junior personnel, is required to live on base, so gay service members who wish to maintain their privacy can choose to live farther from the base.

The Bundeswehr does not require any special training involving sexual orientation, and MOD officials expressed concerns that any special training could make sexual orientation more of an issue and undermine the current policy. Instead, training for officers and NCOs sometimes uses examples involving sexual orientation during general training on leadership and diversity.

Women began serving in the Bundeswehr in 2001, after a court challenge at the European Court of Justice (Kummel, 2002), and integrating women has been perceived as much more difficult than integrating gay personnel. Some German personnel speculated that integrating women promoted sensitivity to issues of sexuality in general and that it was easier for the military to go through both of these big policy changes at the same time rather than separately.

As in Canada, chaplains are not required to do anything contrary to their faith, but they are required to provide pastoral care for all.

**Effects of the Policy Change.** When the policy changed, there was no "earthquake" of people coming out, as one German described it; it was instead a slow and gradual process. There have been no known effects on units or their operational performance, either at home or when deployed. Recruitment is not an issue because of conscription, but there have been no known effects on the number of conscripts volunteering for deployment abroad or entering the professional service. Likewise, there have been no known effects on retention.

MOD officials believe that all of the proper policies are in place to ensure that gay people can serve without discrimination, and the service staffs report no significant issues. However, the MOD has not sponsored any studies on sexual orientation in the Bundeswehr, despite research requests to do so. We found it difficult to get an accurate sense of what gay personnel actually experience in the Bundeswehr. There is an independent nonprofit organization called the Working Group on Gays in the Military [Arbeitskreis Homosexueller Angehöriger der Bundeswehr e.V.], which supports lesbian, gay, bisexual, and transsexual personnel, but it has only 70 members. It is not clear whether its small membership suggests that gay and lesbian personnel are afraid to reveal their sexual orientation by associating with the organization or that they have no interest in joining because they are satisfied with their military experience (or because

of some other reason). Our discussions with serving gay personnel did not reveal any significant problems or concerns, but their experiences may not be representative.

### Israel

**The Israeli Policy Change.** Israel has never had a formal policy banning gay men and lesbians from military service, but, as the 1993 report noted, it did restrict their military service. Until the early 1980s, known gay service members were routinely discharged from the Israel Defense Forces (IDF). In 1983, the IDF adopted a formal policy that gay personnel would not be limited or discharged solely because of their sexual orientation, but it did prohibit gay service members from taking intelligence positions and jobs that required a top-secret clearance. Gay personnel could also be prohibited from serving in elite combat units and on bases where personnel lived and worked closely together or were isolated for long periods of time (Gal, 1994, pp. 184–185; RAND, 1993, pp. 87–88). The IDF also required officers to refer known gay individuals for a psychological evaluation to determine whether they posed any security risks and whether they were mentally fit for military service. In practice, however, the policy was sometimes disregarded by commanders when they believed that a gay member of the unit was performing well (Gal, 1994, p. 186; U.S. General Accounting Office, 1993, p. 7).

In 1993, the Knesset (Parliament) held a set of hearings on issues related to sexual orientation. Uzi Even, an intelligence officer who had conducted highly classified military research for 15 years, testified publicly that he had been demoted and had lost his security clearance because of his sexual orientation in the 1980s—even though he had already acknowledged that he was gay and was therefore not susceptible to blackmail. This revelation led to widespread support for Even and to public denunciations of the IDF, and in response the IDF Chief of Staff established a committee to study the policy (Belkin and Levitt, 2001, pp. 543–544). No military officials told the committee that they opposed reforming this policy (Frank, 2010, p. 21).

In June 1993, a new policy stated that "[n]o restrictions shall be imposed on the recruitment, assignment, or promotion of homosexual soldiers (in career, regular or reserve service) and civilians due to their sexual inclination" and noted that security clearance investigations would be the same for all people (RAND, 1993, p. 87). The MOD officials we met with described the 1993 decision as a security issue rather than a policy change because it said only that gay service members would no longer be deemed automatically ineligible for intelligence and top positions. Yet commanders were still supposed to refer known gay recruits for security investigations, although mental health officials would not be involved and the investigation would not automatically affect the positions that gay personnel would be allowed to hold; it would instead be judged on a case-by-case basis (Kaplan, 2003, p. 119).

However, the 1993 policy was quietly abolished in 1998, without the change being publicly announced or communicated through the chain of command (Gross,

2000; Kaplan, 2003, p. 238). The IDF reportedly determined that a special policy on sexual orientation was no longer needed because all restrictions on gay service had been lifted and all IDF personnel were subject to the same regulations. Since then, the IDF has had no formal policy that addresses sexual orientation in any way. MOD officials repeatedly described this situation as a "non-policy policy"—that is, the IDF is interested only in the professionalism of its service members, not their sexual orientation.[16] This means that gay service members are not specifically restricted in any way, and some have viewed this as a positive step forward (Gross, 2000). Yet it also means that the IDF does not study issues related to gay service, nor does it appear to take any proactive efforts to ensure that all recruits and serving personnel are aware that there are no formal restrictions on gay service. As scholar Danny Kaplan writes, "At the organizational level, the issue is for the most part ignored, except for screening procedures that still assess the compatibility of gay youth to combat duty [discussed below]. Other than that, the Israeli military simply does not deal with sexual orientation" (Kaplan, 2003, p. 119).

**Implementing the Policy.** MOD officials told us that managing diversity is a very important issue for the IDF, since mandatory conscription means that people from varied backgrounds and people with different social identities serve in the force. The IDF officially recognizes four minority groups—immigrants, ethnic minorities (including Druze, Bedouin, and Cherkes), women, and religious minorities—and makes proactive efforts to ensure that these groups are effectively integrated into the military. Since sexual orientation is not recognized as a minority grouping, no such efforts are made to integrate gay personnel. A study conducted in 2006 by Israeli Gay Youth Organization researchers and Tel Aviv University found that only 5 percent of self-identified gay personnel reported any information resources available at their base on sexual orientation, such as reading materials, lectures, and relevant Internet sites (Shilo et al., 2006, p. 7).

Since the IDF is a conscription force, it has a steady source of accessions. The IDF is known as the "People's Army," and compulsory service is seen as an essential contribution to the state as well as a socializing mechanism that helps reaffirm Israeli citizenship (Kaplan, 2003, pp. 113–118). Israel requires three years of service from all Israeli men and two years from all Israeli women, although there are exemptions for some groups, such as the ultra-Orthodox and Arab Israelis.[17] Selection procedures—the

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[16] It was pointed out to us that the IDF's public description of its current policies confirms that the 1993 policy has been rescinded, because the 1993 policy did still require specific actions related to sexual orientation.

[17] We use the term *ultra-Orthodox* in this report because MOD officials used that term in our discussions, but some prefer the term *Haredi*, which is used by the community in question and which is seen as more neutral (Stadler and Ben-Ari, 2003).

The numbers of people who are exempted from service are a major concern for the IDF. We were told that approximately 50 percent of the population of 18- to 27-year-olds is exempt for one reason or another, and demographic projections show that the number of exemptions will continue to increase in the coming years.

process through which personnel are assigned to particular positions—are extremely important in the IDF, and they start in the 11th grade. Preliminary personnel classification involves four components: medical fitness; the quality placement index, which assesses ability to serve in combat; individual welfare status, which considers special needs, such as being a family's primary wage earner; and a psychological assessment, if recommended. Taken together, this process assigns each individual a numerical score from 1 to 97, which determines what kinds of positions can be assigned. Assignment to a combat unit, for example, requires a score above 64.

MOD officials told us that all personnel, regardless of sexual orientation, are referred for a psychological assessment only if the medical evaluation deems it necessary or if the individual requests it.[18] However, Israeli academics told us about studies that showed that the people who conduct initial interviews with incoming personnel do not have a clear understanding about whether they are supposed to ask questions about sexual orientation and that some do ask such questions even though sexual orientation is not supposed to affect the selection process. We were told that some gay service members reported that they were sent for psychological assessments because of their sexual orientation, even though this is not supposed to happen. These assessments can lower their scores and therefore restrict their service opportunities.

Sexual harassment training is required, and units must complete a refresher course every six months. Although the training focuses primarily on gender-based harassment, the training does mention harassment based on sexual orientation as well. Complaints procedures focus primarily on sexual harassment but can also include other issues related to gender and sexual orientation. We were told that each unit has a female sexual harassment advisor, and each command has a dedicated female welfare officer who is the designated point of contact for any sexual harassment issue. These advisors and officers are always women because most sexual harassment in the IDF is toward women and because both men and women who have issues are thought likely to feel more comfortable discussing them with a woman. Sexual harassment complaints can be discussed informally with these advisors and officers or with unit commanders. They must report to the welfare officer that an informal complaint has been made, but they need not share any other information.

Formal sexual harassment complaints can be filed with the unit commander or sent directly to the Office of the Advisor to the Chief of Staff on Women's Issues. This office has considerable investigatory authority and powers and can conduct surprise inspections, particularly when staff members observe a pattern of complaints coming from a specific unit. We were told that this office receives about 400 complaints of sexual harassment each year but that only a small handful involves same-sex behavior. We have no way to assess the effectiveness of these procedures or whether they are

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[18] Some gay personnel do request mental health evaluations in the hopes that this will keep them from being assigned to positions that they do not want (Kaplan, 2003).

trusted by IDF personnel, but Israeli academics told us that the complaint process does not work well, even for gender complaints. The 2006 study mentioned above found that 16 percent of self-identified gay service members who felt that they were being harassed chose to file a formal complaint, but we do not have the data to be able to compare this with the number of women who choose to file complaints (Shilo et al., 2006, p. 7).

The IDF does not provide any special accommodations for those who object to serving with gay personnel, even on religious grounds. This is particularly notable because some accommodations for religious beliefs do occur. For example, ultra-Orthodox Jews are exempted from mandatory military service, but as part of an effort to encourage them to volunteer, ten years ago the IDF created a separate combat unit in which the ultra-Orthodox can serve. No women are allowed to serve in the unit, their days are organized around prayer schedules, and the food complies with their dietary laws.

Israel does not perform same-sex marriages, but it also does not perform civil marriages. Because not all of its citizens are eligible to be married by the rabbinate, Israel recognizes any marriages that are legally performed outside the country. In 2006, the Israeli Supreme Court ruled that a same-sex couple who gets legally married outside Israel would be recognized as a married couple upon returning to Israel. Civil partnerships have been recognized since 1994, and same-sex partners have been entitled to IDF benefits since a court ruling in 1997 (Korb, Duggan, and Conley, 2010, p. 23). However, we were told that IDF regulations prevent couples from living together on most bases; family housing exists solely on a few Air Force bases where personnel tend to get assigned for long periods of time. Israel's small size means that many soldiers live at home, which makes housing less of an issue (Kaplan, 2003, p. 114).

In 2007, the IDF started a pilot program with a nonprofit organization called Hoshen (a Hebrew acronym for Education and Change) to educate commanders on issues related to sexual orientation. The program was initiated after two incidents of harassment against gay personnel in 2005 as an effort to reduce the likelihood of similar events in the future. Hoshen sponsors various educational programs on lesbian, gay, bisexual, and transgender issues, and its IDF program arranges for commanders to meet with gay individuals who formerly served in the IDF so that the commanders can understand the experiences, issues, and concerns that they had while serving. The program went through a small testing phase for two years, and we were told that it became mandatory for commanders in 2009. Yet the program is not widely known within the IDF, and we were told that some service members were unable to have their unit participate in the program. It is too early to determine its impact or effectiveness. We were told that many IDF personnel, including the mental health advisors who serve with units, do not know how to deal effectively with issues related to sexual orientation because they receive no education or training in this area.

**Effects of the Policy Change.** Israel's "non-policy policy" toward gay service has both advantages and disadvantages. The advantage is that gay personnel are not identified as a special group, and the IDF makes no assumptions that they will be anything less than fully capable of performing their assigned duties (Kaplan, 2003, p. 120). Anecdotes mention gay personnel who faced no problems during their service and who were supported by the chain of command. In a presentation at the Washington, D.C., Jewish Community Center on August 17, 2010, the prominent gay activist Avi Soffer mentioned a case in which an entire unit of 30 soldiers signed a letter saying that they could not serve under a gay commander. All 30 soldiers were dismissed because the IDF had confidence in the commander and said he was an effective soldier and leader.

Yet the clear disadvantage is that many people both inside and outside the IDF may not know the policy, especially if it is not formally adopted and distributed. The lack of effort to educate people about the policy can lead to confusion, misunderstandings, and inconsistencies. For example, the 2006 study found that many self-identified gay service members did not understand IDF policies: 29 percent of those surveyed said that they knew with certainty that the IDF allows gay individuals to serve in any military position, 44 percent were unsure whether revealing their sexual orientation would cause them to go through a security investigation, and 57 percent were unsure whether revealing their sexual orientation would cause them to be sent to a military psychologist (Shilo et al., 2006, pp. 7–8). Israeli researchers told us that this confusion about IDF policy makes gay soldiers more likely to conceal their sexual orientation and less likely to report harassment.

### Italy

**The Italian Policy.** Italy has never formally banned gay men or lesbians from serving in the military. Before 2004, when the Italian military was a conscription force, gay recruits were not automatically excluded from service. Officials from the MOD told us that Italian privacy laws prevented the military from asking any questions about sexual orientation, religion, and other personal matters during initial selection interviews, but gay recruits wishing to be exempted from service could request a medical evaluation.[19] Individuals who were diagnosed with "ego dystonic homosexuality," which meant that they had difficulty with their sexual orientation,[20] were deemed unfit for service and exempted, although they could be recalled during times of war.

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[19]  We were told that such medical evaluations were only performed when an individual explicitly requested one, but we were not able to determine whether this policy was followed in practice.

[20]  When homosexuality was removed as a diagnosis from the second edition of the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-II), a new diagnosis of "sexual orientation disturbance" was added, which described those attracted to the same sex "who are either disturbed by, in conflict with, or wish to change their sexual orientation." DSM-III, which was published in 1980, renamed this "ego dystonic homosexuality." Due to a lack of evidence supporting this diagnosis, it was dropped from the 1987 revised version of the manual, called DSM-IIIR. The most current edition of the manual, DSM-IV, includes no reference to homosexuality, but any

MOD officials report that this exemption was designed to preserve the well-being of gay conscripts who would otherwise have been required to serve in a strongly masculine and hostile environment. These concerns were particularly strong after several gay conscripts committed suicide in the 1980s and 1990s.[21] Gay conscripts sometimes faced violent homophobia, which was sometimes tacitly endorsed by the military leadership. General Fabio Mini, a former commander of the NATO-led force in Kosovo, recently recalled that conscripts were constantly beating and insulting gay soldiers. Because gay soldiers were seen as a threat to the unity of the group, Mini said that commanders would describe them in reports as "unfit for socialization," which would marginalize them even further (Cerno, 2010c).

Since the Italian military became an all-volunteer force on January 1, 2005, there have been no restrictions on gay service, and volunteers are not asked about their sexual orientation. Recruits can be deemed unfit for service due to a range of medical and psychological conditions, including ego dystonic homosexuality, but only in cases "in which disturbances are such that the completion of assigned tasks is limited in a significant way" (Italian Defence General Staff, 2010). In such cases, exclusion is "aimed at protecting both the psychological condition of the individual and the collectivity of the military unit of which he/she should be a part" (Italian Defence General Staff, 2010).[22]

**Implementing the Policy.** The MOD officials we met reported no known effects of this policy. No official accommodations are made for either gay or heterosexual personnel, and commanders are expected to manage any conflicts at the unit level. Complaints can be filed either with the unit commander or further up the chain of command, and commanders have the authority to determine appropriate punishments. Each unit also has a counseling officer to whom soldiers can talk about any issue. Additional reporting channels for sexual harassment, including hotlines, were established after 2000, when women began serving in the Italian armed forces. Gay personnel can also report sexual harassment through these mechanisms, but we were told that this has not yet occurred. Harassment training occurs periodically within operational units. Diversity training is included as part of military education at key career points, but unit members do not receive such training.

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related issues could potentially be diagnosed as "sexual disorder not otherwise specified." However, ego dystonic homosexuality remains a valid diagnosis code in the International Classification of Diseases (ICD)-10, which is often used by states that are members of the World Health Organization (Lamberg, 1998).

[21] One of the founders of Italy's largest gay rights organizations, Franco Grillini, recently recalled that even though the exemption policy posed real human rights concerns, it did help address the problem of gay conscripts committing suicide. He also stated that his organization, called Arcigay, made an informal deal with the MOD whereby any conscript possessing a letter from Arcigay attesting that he or she is gay would be exempted from service. He estimated that about 20,000 gay men and lesbians were exempted from military service this way (Cerno, 2010a).

[22] See also Cerno, 2010a.

Because Italy does not recognize civil partnerships or gay marriage, only married spouses are eligible for military benefits. We were told that if Italian laws change, the military would immediately adjust its policies. Limited family housing exists, but it is not open to unmarried couples of any gender. All Italian chaplains are Catholic priests who provide both religious and social counseling to all those serving in their units. MOD officials told us that chaplains have not resisted having gay personnel in the military, nor have they resisted counseling gay personnel.

**Effects of the Policy Change.** MOD officials reported no known effects of gay service on unit performance. Recruiting is generally not a problem for the Italian armed forces because police candidates are required to serve one year in the military before becoming eligible to serve in the police. There have been some recruiting problems in the lower ranks for positions that include basic duties, but there is no known relationship between these problems and gay service. MOD officials stated that there have been no retention problems due to gay service. These officials also emphasized that even though Italy is a Catholic and conservative country, Italian society generally tolerates other religions and beliefs. They pointed out, for example, that Rome's recent gay pride parade passed directly in front of the Vatican, and there were no protests either when the parade route was announced or during the parade itself.

We were not able to evaluate the current experiences of serving gay personnel or their broader acceptance within the military. However, the issue of gay individuals in the Italian military has been in the news during the past several months. In February 2010, Italian Minister of Defense Ignazio La Russa publicly restated Italy's policy the day after a senior Brazilian general publicly stated that gay soldiers should not be allowed to command troops (Associated Press, 2010; "Forze Armate . . . ," 2010). La Russa emphasized that Italy had never prevented gay people from serving and that there is no incompatibility between being gay and being a soldier. He also noted that he had not received any complaints from gay soldiers claiming discrimination or from heterosexual soldiers complaining about the presence of gay soldiers ("Forze Armate . . . ," 2010). The shadow defense minister, Antonio Rugghia, responded by supporting these general policy statements but also called on La Russa to remove ego dystonic homosexuality from military medical codes (Cavalli, 2010).[23]

In June 2010, the well-known weekly news magazine *L'Espresso* published two articles describing the experiences of currently serving gay soldiers (Cerno, 2010b, 2010c). Those interviewed said that the atmosphere had improved considerably since the end of conscription but that homophobia remains strong enough that most gay service members hide their sexual orientation. The articles describe a very macho environment in which being gay is called "the vice," and they recount incidents of both physi-

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[23]  According to our translation, Rugghia said, "We share the position of the minister. But it's time to go beyond. The minister knows that the rules for recruitment of the armed forces give a distorted definition of homosexuality, calling it a disorder of persons that are not in harmony with themselves. The minister should work to make sure this definition is changed."

cal and verbal harassment that gay soldiers have chosen to endure silently. Gabriele Sannino, who serves in the Italian Air Force, was quoted as saying that there is an unspoken rule of keeping silent and that no one speaks about sexual orientation while serving in the military (Cerno, 2010b).

### The Netherlands

**The Dutch Policy.** The Netherlands first allowed gay men and lesbians to serve in the military in 1974, making it the first country to do so. As our 1993 report noted, however, sexual orientation was one of a number of criteria that could be used to determine psychological fitness for service (RAND, 1993). In 1986, the Minister of Defence announced that the military would be part of an overall government effort to ensure equal rights for all Dutch citizens and that sexual orientation would no longer be grounds for exclusion or dismissal. Since that time, the Dutch government has actively promoted the integration of gay personnel into the military. In 1987, the MOD provided financial support for the establishment of the Stichting Homoseksualiteit en Krijgsmacht [Foundation for Homosexuals in the Armed Forces], or SHK, which provides counseling, organizes conferences, and advocates on issues its members encounter.

At the request of the MOD, the Netherlands Institute of Social Sexological Research (NISSO) conducted a survey of Dutch military personnel about the experiences of gay service members and broader attitudes toward them in the force (Keuzenkamp, 2010). The results, which were published in 1992, found that military personnel expressed tolerance toward gay service members but that very few gay service members were willing to identify their sexual orientation to those conducting the survey. This finding suggests that many serving personnel chose to keep their sexual orientation private. The 1993 report concluded that the Dutch MOD was planning to undertake an intensive effort to promote broader acceptance of gay service members (RAND, 1993, pp. 93–94).

Since the 1993 report, the Dutch government has continued to actively promote complete acceptance of gay personnel serving in the military. In response to the NISSO study, the MOD issued several policy changes in 1993, including an antidiscrimination policy for gay personnel in the military, which was one year before the Dutch government adopted a similar policy for civilian society (Schnabel, 1999, p. 4). In 1997, when the Dutch military switched to an all-volunteer force, the MOD commissioned a follow-up study to assess progress in this area. The study, which was published in 1999, found that acceptance of gay people in the Dutch military was significantly greater than in 1992 and that gay personnel were no longer socially isolated. Yet it also found that some of the policy changes had not been fully implemented, and that finding led to further policy adjustments (Schnabel, 1999). A second follow-up study, published in 2006, found that open discrimination was rare but that many gay personnel have had

negative experiences, and around 25 percent remained closeted in their units (Netherlands Institute for Social Research, 2006).

These active efforts to promote full integration of gay personnel in the military are consistent with the Dutch government's broader efforts to actively promote full integration of gay people into society. A recent study found that 9 percent of the Dutch population has a negative view of gay people, but abuse and discrimination do continue, and there are concerns that homophobia and antigay violence may be increasing (Bais, 2010, pp. 12, 16–17, 26). Each new Dutch government issues a detailed document on its lesbian, gay, bisexual, and transgender policies and specific objectives for each ministry. The current objectives for the MOD are to further incorporate diversity into training, provide multiyear support of the SHK, promote international discussions of gay personnel in the military, conduct a third follow-up study on gay acceptance, and increase the visibility of the MOD during gay pride events (Netherlands Ministry of Defence, 2007, p. 58). The Dutch cabinet has participated in Canal Parade (Amsterdam's gay pride parade, discussed below) since 2008 as part of its efforts to show leadership and support for the gay community. Yet concerns remain that the growing polarization of Dutch society due to immigration issues, economic issues, and religious tensions may lead to less acceptance of gay people.

**Implementing the Policy.** The Dutch policy has been in place for so long that little information is available on what happened immediately after the policy changed. Those who violate the military's antidiscrimination policy can be discharged, but we were told that no soldier has been discharged for discrimination against gay personnel during the past 15 years. There have been no known effects on operational performance. For the past few years, the Dutch military has been actively involved in intensive combat in Afghanistan alongside the United States without any reported performance problems. The Netherlands shares rotating command of the most difficult region in the country, and, as Figure 10.1 shows, is second only to the United Kingdom in the number of soldiers killed as a percentage of its total force deployment. The 1974 policy change occurred during the period of conscription, but there was no identified effect when the Dutch military switched to an all-volunteer force, and there have been no known effects on retention. There have been no known housing issues for single gay personnel, and the Dutch military does not provide family housing. Both gay marriage and registered partnerships are legal in the Netherlands, and registered partners of any gender are entitled to the same benefits as married spouses. Chaplains of all religions must sign a statement that they accept diversity, including sexual orientation, within the force.

Even though the Dutch policy changed more than 36 years ago, implementation remains an ongoing process. As government priorities have shifted from promoting tolerance to achieving full acceptance, policies have changed and adapted as well. For example, each service conducts its own diversity training, which includes material on ethnic minorities, sexual orientation, and gender issues. In 2008, the Dutch govern-

ment determined that this training did not focus sufficiently on issues of sexual ori-entation and identified that as an area for improvement. The MOD is also trying to standardize the training as much as possible to ensure that consistent messages and themes are addressed.

In 2001, the MOD overhauled its complaint procedures to reinforce its message that harassment, violence, discrimination, bullying, and other negative forms of behav-ior would not be tolerated. Informal complaints can still be discussed with unit com-manders, social workers, and chaplains,[24] but there is also a separate set of central and local counselors who can help address problems. All information is kept confidential, but, as the 1999 study recommended, these counselors do keep records of the number and types of complaints that they receive for tracking purposes. Formal complaints can be filed with the Complaints Commission either directly by an individual or with assistance from a counselor or commander. The MOD publishes the details of these policies and procedures and contact information in a brochure, which includes a flow chart showing how the process works when an individual seeks assistance from a coun-selor or commander.

**Dutch Policy Today.** The MOD continues to actively promote full acceptance of gay military members by reaching out to the gay community and encouraging greater visibility. In 2007, after an incident of violence against a gay service member, the State Secretary for Defense decided that the MOD needed a visible presence at that year's Pink Saturday events.[25] We were told that the state secretary pressured two generals to join him, but they did ultimately march alongside him in uniform. In 2008, the MOD and the SHK became members of the Company Pride Platform, which is a nonprofit membership organization for employers' lesbian, gay, bisexual, and transgender orga-nizations whose mission is to promote visibility and acceptance of this community at work and in society (Company Pride Platform Foundation, 2009). In 2009, after many years of pressure from gay organizations, gay service members were allowed to wear their uniforms while participating in Canal Parade.[26] Some military leaders were reluc-tant to authorize this, but the event proceeded smoothly with no reported incidents. The MOD sponsors recruiting booths at these large events, and it recently placed a recruitment advertisement in a gay-friendly magazine in order to show that it welcomes diversity and that gay military personnel can serve openly and safely. Last year, Dutch

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[24] The Dutch military includes uniformed social workers in addition to chaplains, but both serve as resources for unit members facing difficulties. The Dutch military includes 150 chaplains, which is a fairly high number for an active-duty force of approximately 47,000 service members, and also includes "secular" chaplains who serve alongside traditional chaplains (International Institute for Strategic Studies, 2010).

[25] Pink Saturday is separate from the annual gay pride weekend and involves political and cultural events that raise awareness of lesbian, gay, bisexual, and transgender issues.

[26] Canal Parade is the annual gay pride parade; instead of marching, the participants ride on boats throughout Amsterdam's canals.

MOD officials initiated a new Working Group on Lesbian, Gay, Bisexual, and Transgender Issues at NATO to promote international cooperation and information sharing.

Despite these strong proactive efforts, serving gay personnel in the Netherlands do still face some challenges. Problematic incidents do occur, and interpersonal challenges remain. It is perceived that the more combat-oriented units, including the Marines, special forces, and combat arms, are not as accepting of gay men. We were told that the general code of conduct is generally enforced but that serving gay personnel want more visibility in the military, more role models in the senior ranks, and more general education efforts to dispel myths about what it means to be gay. SHK remains a valuable resource for many gay personnel. The MOD continues to actively support and work closely with SHK and provides special leave to those military personnel who wish to attend one of SHK's biannual conferences.

### United Kingdom

**The British Policy Change.** In 1993, the British military explicitly banned gay men and lesbians from serving in the armed forces. Personnel suspected of being gay were aggressively investigated, and if any evidence was uncovered, they faced a court martial or an administrative discharge.[27] In 1995, four individuals who had been investigated and discharged for being gay appealed their discharges with the British High Court. Duncan Lustig-Prean and John Beckett filed their appeals together, as did Jeanette Smith and Graeme Grady. Both suits were based on three claims: that the dismissals had been "irrational," which involves a very high threshold for evidence; that they violated the European Convention on Human Rights; and that they violated the EU's 1976 Equal Treatment Directive (Council of Europe, 1999a, 1999b).

The British High Court ruled in favor of the government on June 6, 1995, but it noted that the European Court of Human Rights (described below) would be unlikely to rule the same way and suggested that the government conduct a formal policy review (UK Ministry of Defence, 1996, p. 15). The government followed this suggestion and commissioned the Homosexual Policy Assessment Team (HPAT) in September 1995 to find evidence that would bolster the legal arguments for continuing the exclusionary policy. It focused on the effects that known gay personnel would have on fighting power or operational effectiveness, and it gathered information through literature reviews, site visits, surveys, and interviews.

The HPAT report, published in February 1996, noted that "there would be a significant negative impact on the Fighting Power of the British Armed Forces if appreciable numbers of known or strongly suspected homosexuals were to be accepted" (UK Ministry of Defence, 1996, p. 193). The report concluded by saying it was "evident

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[27] Homosexuality remained a criminal offense in military service codes until 1994, but gay service members could still receive a court martial in conjunction with other charges. After 1994, most gay personnel received administrative discharges.

that in the UK homosexuality remains in practice incompatible with Service life if the Armed Services, in their present form, are to be maintained at their full potential Fighting Power" (UK Ministry of Defence, 1996, p. 233). These findings were heavily influenced by the result of the HPAT's survey of currently serving personnel, which, as shown in Table 10.4, found strong opposition to changing the policy. In light of the HPAT's findings, the government chose to leave its policy in place.

The British Court of Appeals upheld the High Court's decision, and further appeals for review were not granted. Having exhausted their domestic legal options, the plaintiffs brought their suits to the European Court of Human Rights (ECHR).[28] The ECHR is not an institution of the European Union; it is a separate institution that is effectively the judicial arm of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms (Council of Europe, 2010).[29] The government's defense relied heavily on the findings of the HPAT. It argued that the British military strongly opposed including known homosexuals and that, whether these perceptions were right or wrong, they would undermine the military effectiveness and combat power of the armed forces (Council of Europe, 2010; Psonak, 2000).

On September 27, 1999, the ECHR ruled in favor of the plaintiffs. In the first case, *Lustig-Prean and Beckett v the United Kingdom*, the ECHR found that the British policy violated Article 8 of the convention, which provides for the right to respect for private and family life. In the second case, *Smith and Grady v the United Kingdom*, the ECHR found violations of both Article 8 and Article 13, which provide for the right to an effective remedy under national law (Council of Europe, 2010; Kamm, 2000; and Psonak, 2000). The court also criticized the HPAT findings as not being completely anonymous and including biased questions and further criticized the government for basing its defense primarily on negative attitudes. The final decisions of both court cases contained identical language stating the following:

> To the extent that they represent a predisposed bias on the part of a heterosexual majority against a homosexual minority, these negative attitudes cannot, of themselves, be considered by the Court to amount to sufficient justification for the interferences with the applicants' rights outlined above any more than similar negative attitudes towards those of a different race, origin, or colour. (Council of Europe, 1999a, Section 90; 1999b, Section 97)

In January 2000, the UK policy officially changed, and gay personnel were allowed to serve without any restrictions. MOD officials had been working to prepare

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[28] The plaintiffs could not bring their case directly to the European Court of Justice (ECJ), which enforces EU laws, including the Equal Treatment Directive. The ECJ could only have become involved in this case if the House of Lords asked it to make a ruling, which it did not (UK Ministry of Defence, 1996, p. 448).

[29] The United Kingdom was one of the first countries to ratify this convention, which currently includes 47 members (Council of Europe, 2010).

**Table 10.4**
**Selected Results from the 1996 United Kingdom HPAT Survey**

| Survey Questions | Agree and Strongly Agree (%) | | Disagree and Strongly Disagree (%) | |
|---|---|---|---|---|
| | Men | Women | Men | Women |
| **Overall views** | | | | |
| Q73. The MOD's policy on homosexuality should remain unchanged. | 82 | 63 | 10 | 27 |
| Q94. Male homosexuals should be allowed to serve in the British Armed Forces without any restrictions. | 8 | 25 | 85 | 62 |
| Q95. Lesbians should be allowed to serve in the British Armed Forces without any restrictions. | 9 | 26 | 76 | 61 |
| Q80. Acceptance of homosexuals into the British Armed Forces would be resented by most service personnel. | 92 | 84 | 3 | 6 |
| Q81. In the future, employing known homosexuals in the British Armed Forces will become acceptable without difficulty. | 11 | 18 | 78 | 63 |
| Q116. It would be more difficult to integrate homosexual men into the Armed Forces than it has been to integrate heterosexual women. | 78 | 72 | 6 | 12 |
| **Combat effectiveness and discipline** | | | | |
| Q83. Homosexuals should be excluded from the military because their presence would damage combat effectiveness. | 73 | 46 | 11 | 29 |
| Q71. Accepting male homosexuality in the military would reduce combat effectiveness. | 72 | 43 | 11 | 28 |
| Q72. Accepting lesbianism in the military would reduce combat effectiveness. | 58 | 39 | 14 | 32 |
| Q137. Homosexual cliques would damage unit effectiveness. | 83 | 63 | 4 | 13 |
| Q105. It would be difficult to maintain discipline if homosexuals served openly in the British Armed Forces. | 76 | 60 | 11 | 26 |
| **Recruiting and retention** | | | | |
| Q84. Permitting homosexuals to serve in the military would damage recruiting. | 68 | 50 | 11 | 27 |
| Q112. Acceptance of homosexuals into the Armed Forces would result in a fall in the retention of heterosexual personnel. | 65 | 42 | 11 | 26 |
| **Family life** | | | | |
| Q66. Homosexuals present a threat to family life in the military community. | 49 | 24 | 21 | 39 |

SOURCE: UK Ministry of Defence, 1996.

for this new policy even before the verdicts were reached because they anticipated that the policy might not survive these legal challenges and because they were aware that the EU was drafting the employment nondiscrimination directive described in the earlier section on Germany. This meant that they were able to implement the new policy in a relatively short period of time. A new Code of Social Conduct that applied to all personnel was released on the same day that the policy change was announced. It did not list specific objectionable behavior but instead told commanders that they should determine whether to intervene in the private lives of their subordinates by applying the Service Test: "Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?" (UK Ministry of Defence, 2000, p. 3). If the answer is no, then such intervention is not warranted. The new policy also specified that serving personnel have no right to leave the service because of moral or religious opposition to serving with gay personnel.

**Implementing the Policy.** The United Kingdom provided the most-detailed implementation guidance of any country we studied. On the day that the policy changed, the MOD issued a 16-page document called "Homosexuality and the Armed Forces— Commanding Officers Information Pack," which contained

- a cover letter signed by the CDS and each of the service chiefs. This in itself is notable, since we were told it is a very rare occurrence. It stated, "we are committed to a successful implementation of this revised policy. . . [implementation] should be achieved with the minimum of disruption to unit life, and should be viewed as a process of adaptation rather than dramatic change."
- the new Code of Social Conduct, including the Service Test
- guidance notes on the code, including key criteria to be considered when using the Service Test, the range of possible sanctions, and guidance on applying sanctions
- guidance notes on practical aspects of implementation, including 23 specific questions and answers
- speaking notes to help commanders explain the new policy, to reduce the likelihood that commanders would focus on their own personal views
- a flow chart to help commanders decide how to handle incidents related to the Code of Social Conduct, which is reproduced as Figure 10.2.

Taken together, these documents helped ensure that commanders understood the new policy, communicated the policy consistently, and provided simple and practical guidance on their responsibilities under the new policy.

The British policy does not include any specific accommodations for either gay or heterosexual personnel because the Code of Social Conduct applies to all military personnel equally. No specific training was required or offered at the time, although today the individual services include sexual orientation as part of their broader diversity training. Chaplains are required to provide assistance and services to all military

**Figure 10.2**
**UK Guidance on Handling Incidents Related to the Code of Social Conduct**
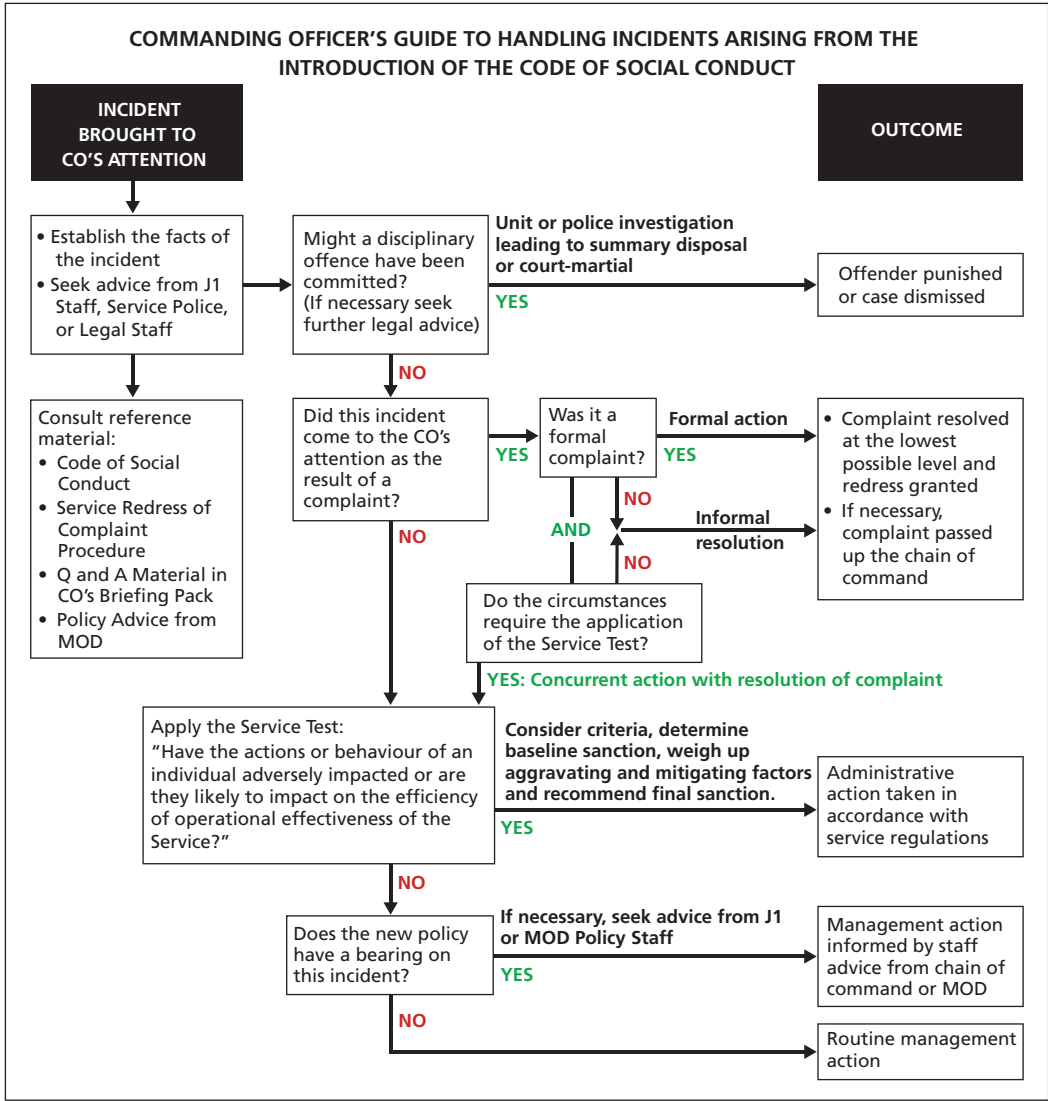


SOURCE: UK Ministry of Defence, 2000.
NOTE: CO = commanding officer.
RAND *MG1056-10.2*

personnel, although we were told of one chaplain who left the military because of the new policy. The United Kingdom legalized civil partnerships in 2004 and thereby granted civil partners the same rights and benefits as married couples. Regardless of sexual orientation, individuals who are not in a recognized partnership are not entitled

to family housing on base or to receive their partners' pensions, but the MOD is currently considering changing this policy to make those benefits available.

The British Army has generally been perceived as the most conservative service on this issue, first because of its strong opposition to changing the policy and more recently for being less accepting of gay members. Elite units across all three services are seen as being the least accepting, including paratroopers, special forces, and Marines (Basham, 2009, pp. 422–423). Yet the MOD officials with whom we spoke believe that integrating women has proven much more challenging than integrating gay personnel and that, even though some harassment based on sexual orientation does exist, racial harassment and sexual harassment of women by men are far greater problems. We were told that women identify sexual harassment as one of the primary reasons why they chose to leave the Army but that very few (if any) exit surveys mention any issue related to sexual orientation.

Commanders were and are expected to handle any problems or issues at the unit level. All British units include an Equality and Diversity Advisor (EDA), who serves as a resource to both commanders and unit members on managing diversity issues. Anyone with a complaint can talk to the EDA or a chaplain, who can help resolve these issues informally or offer advice about whether to pursue mediation or file a formal complaint. Mediation occurs outside the chain of command, usually involving civilians or contractors, and no records are kept, other than noting whether the issue was resolved. We were told that mediation is particularly helpful when the issue involves getting a unit member to stop some form of behavior, such as making jokes or offensive comments, since it allows for explanations, discussions, and apologies. Formal complaints of any type are put in writing, trigger a full investigation, and can be appealed all the way up to the queen, in her official role as commander in chief of the armed forces.[30]

The formal complaint process is disliked by military personnel and the MOD alike.[31] Formal complaints can take as long as 18 months to resolve because serious incidents that involve the service's Equal Opportunity Investigation Team require interviews to be conducted with the complainant, the respondent, and any witnesses. Many personnel will have rotated by the time the interviews begin, which means that investigators must travel to their new locations to conduct the interviews, even if that involves interviewing a service member serving in Afghanistan. The MOD is working with a domestic agency called the Equal Opportunities Commission to try to speed

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[30] Appeals to the queen are fairly uncommon, but we were told that at the time of our visit, three such complaints were pending.

[31] For example, a recent survey showed that of those who had filed a written complaint, 42 percent were dissatisfied with the amount of time taken to resolve the complaint, 43 percent were dissatisfied with how well they were kept informed of the progress of their complaint, and 45 percent were dissatisfied with the outcome of the complaint. We were also told that the CDS regards the complaint process as unsatisfactory (Deputy Chief of Defence Staff Personnel, 2009, p. 218).

up this process. Furthermore, when a complaint is upheld, the unit commander determines the level of punishment. These punishments are often relatively light, which frustrates those who endured the lengthy process and had their complaints upheld. We were told that MOD officials have proposed issuing suggested guidelines for punishment, but military lawyers advised that this would take too much authority away from the chain of command.[32]

In 2008, the MOD established an independent Service Complaints Commissioner (SCC), partially in response to a series of suicides among recruits at a single training base a few years earlier. It accepts complaints not only from service members but also from family members who are concerned about their loved ones. Commanding officers are still responsible for investigating complaints filed with the SCC, but the SCC oversees these investigations and ensures that proper procedures are followed. The SCC is somewhat similar to the German Parliamentary Commissioner for the Armed Forces and, similarly, publishes an annual report that highlights any problems that he or she has observed in the complaints process (UK Ministry of Defence, 2010a). Yet the SCC remains a relatively new position, and it is not well understood. A recent survey of military personnel found that only 55 percent of respondents said that they had heard of the SCC, and of those, only 35 percent said that they fully understood how the SCC can help with a complaint (Deputy Chief of Defence Staff Personnel, 2009, pp. 175–176).

**Effects of the Policy Change.** The policy change was much smoother than anticipated. Several people told us independently that "the world did not end," as many had feared, and another told us that implementation "was like flipping a light switch." We were told that few people came out immediately and that those who did simply stopped hiding their personal lives and put up pictures of their partners or mentioned them during conversations.

The MOD reviewed the new policy six months after it was adopted, and a summary of the review stated that there was "widespread acceptance of the new policy" and a "marked lack of reaction." There had been "no reported difficulties of note concerning homophobic behaviour amongst Service personnel," and the summary declared that the new policy "had no discernible impact, either positive or negative, on recruitment" (Newton, 2000). MOD officials told us that they received three resignations as a result of the policy change, out of a total military force of 250,000 personnel, but we do not know how they determined this number. We were also told that there were a few incidents soon after the policy change where commanders would not allow same-

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[32] The three services in the United Kingdom remained fully independent until the 1960s, when the current MOD was established, and they remain very powerful today. The MOD has aimed to gradually standardize policies across the services, but it generally does so through consensus and cannot dictate policies to the services.

sex partners into the unit's mess,[33] but superior officers addressed this quickly and effectively, and the issue was quickly resolved.

In December 2002, the MOD issued the results of a full triservice review of the policy, which stated that commanders from all three services "generally concur that there has been no tangible impact on operational effectiveness, team cohesion, or Service life" due to the policy change (UK Ministry of Defence, 2002, p. 12). It reported that some officers were reluctant to accept the new policy, including warrant officers and senior NCOs from all three services, but none of the services reported any significant implementation problems.[34] The only discussion of recruiting involved service attitudes about whether they should actively recruit through the gay press. The review then concluded by saying that "[n]o further formal review of the Armed Forces policy on homosexuality is currently judged to be necessary," though it cautioned service staffs to watch for any signs of declining tolerance (UK Ministry of Defence, 2002, pp. 9–10, 12).

In recent years, the British Armed Forces have also deliberately reached out to the gay community, both as a source of recruits and to demonstrate that it is a diversity employer of choice. MOD officials believe that there is a good business case for diversity, including sexual orientation, because it helps them reach a broader pool of talent throughout society and because they want to overcome the perception that gay personnel and others are not accepted in the British Armed Forces. The MOD and all three services work closely with Stonewall, a nonprofit organization that lobbies for equality and works with British employers on lesbian, gay, bisexual, and transgender issues. The MOD and the services participate in Stonewall's Diversity Champions program, which provides networking opportunities, listings in Stonewall's annual recruitment guide, seminars on best practices, and other benefits (Stonewall, 2010a). Stonewall publishes an annual Workplace Equity Index, and in 2010 the MOD and the three services were ranked in or very close to the top half of all employers who submitted applications.[35]

Gay service members have also become more visible recently, as they have been allowed to march in uniform during gay pride parades. In 2007, the Royal Navy allowed its personnel to march in uniform in the London Gay Pride parade, which was a fairly controversial decision that was made without consulting the other two services. The Royal Air Force allowed its personnel to march in uniform in 2008, and the

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[33] Messes are places where military personnel eat, drink, and socialize. Each British military installation usually has three separate messes—one for officers, one for NCOs and warrant officers, and one for junior personnel—and all personnel typically belong to their respective mess.

[34] The Royal Air Force reported one complaint of an unwanted sexual approach by a gay service member, but it stated that the complaint was resolved quickly and effectively at the unit level. No complaints were reported from the other two services (UK Ministry of Defence, 2002, p. 14).

[35] Stonewall publishes its list of the top 100 employers, which listed the MOD (civilian staff only) at 73 out of the 352 companies that submitted applications (Stonewall, 2010b, p. 24). Stonewall also told us that the Royal Air Force was listed at 134, the Army was listed at 140, and the Royal Navy was listed at 179.

Army reluctantly did so as well (Barr and Bannerman, 2008). No problems or issues have been reported, and this is now a normal occurrence. Despite its reluctance to participate in pride parades, the Army greatly increased the visibility of its gay personnel in July 2009, when *Soldier* magazine (the official magazine of the Army) marked the ninth anniversary of the policy change by featuring an openly gay soldier, Trooper James Wharton, in an article and on the cover (Clapson, 2009).

While incidents of discrimination and harassment likely do occur at the unit level, a recent survey suggests that this is not a widespread problem. A 2009 survey showed that only a small percentage of the force reported being the subject of discrimination, harassment, or bullying within the past 12 months.[36] Of those, only 1 percent said that they had been discriminated against based on sexual orientation, and only 1 percent said that they had been harassed based on sexual orientation (Deputy Chief of Defence Staff Personnel, 2009, pp. 183, 191).

## Key Findings from the Experience of Foreign Militaries

This section describes the key findings across the seven countries concerning the conditions that led to policy change, the strategies used to implement the new policy, and the consequences of the policy change.

### Why Policies Changed

- *Pressure from outside the military often led countries to change their policies, although in some cases the pressure was internal.* Canada, Germany, and the United Kingdom changed their policies because of direct or anticipated court rulings. But as Table 10.5 shows, this was not true elsewhere. International human rights law influenced the debate in Australia but was not the primary catalyst for the policy change, and legal pressures played no significant role in Israel, Italy, and the Netherlands. Instead, policy decisions in these countries were made by top military and/or political leaders doing what they thought would be best for the armed forces.
- *Gay people were not completely accepted in these countries when the military policy changed.* In the four case study countries for which data were available, homosexuality was only moderately accepted by the general population when the policy changed.[37] The World Values Survey, which is conducted approximately every five years, asks respondents whether they think homosexuality is always justifi-

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[36] Twelve percent reported having been the subject of discrimination, 6 percent reported having been the subject of harassment, and 7 percent reported having been the subject of bullying (Deputy Chief of Defence Staff Personnel, 2009, p. 218).

[37] No data are available for Australia, Israel, and the Netherlands.

**Table 10.5**
**Legal Context Surrounding Policy Changes in Foreign Militaries**

| Country | Year Gay Personnel Allowed to Serve Without Restriction | Legal Catalyst for Change | Year Civil Partnerships Legalized | Year Gay Marriage Legalized |
|---|---|---|---|---|
| Netherlands | 1974 | None | 1998 | 2001 |
| Australia | 1992 | Influenced by international human rights law | Not legal[a] | Not legal |
| Canada | 1992 | Court ruling that policy violated national law | Varies by province | 2005 |
| Israel | 1998 | None | 1994 | Not legal[b] |
| United Kingdom | 2000 | Decision by European Court of Human Rights | 2004 | Not legal |
| Germany | 2000 | Anticipated EU directive and court ruling | 2001 | Not legal |
| Italy | No formal change | None, but consistent with national law and EU directive | Not legal | Not legal |

SOURCE: Discussions during country visits and GayLawNet, 2010.

[a] Same-sex "de facto" relationships were given the same status as opposite-sex relationships in 2008. Some states have relationship registries.

[b] Since 2006, Israel has recognized same-sex marriages performed elsewhere.

able, never justifiable, or something in between, using a 10-point scale (where 1 is never justifiable and 10 is always justifiable). Figure 10.3 shows that in the 1990 survey, the latest survey conducted before the Canadian policy change in 1992, the mean attitude toward homosexuality in Canada was 4.14—which shows some (but certainly not widespread) acceptance. Figure 10.4 shows the results from the same question in 1999, which was the latest survey conducted before the German and British policy changes and before Italy became an all-volunteer force. The mean attitudes in these three countries hovered right around the midpoint of the scale—with the United States trailing by just a few tenths of a point—which again does not suggest widespread acceptance (Andersen and Fetner, 2008, pp. 945–948). Table 10.5 also shows that all of these countries except Israel allowed gay people to serve in their militaries without restriction while civil partnerships and gay marriage were not recognized, and in some cases they remain unrecognized today.

- *Military leadership and troops often resisted the change, and many predicted severe consequences.* In several countries, we were told about significant military resistance to the policy change, and supporting data exist for Canada and the United Kingdom. Both the 1986 Charter Task Force survey in Canada and the 1996

**Figure 10.3**
**Mean Acceptance of Homosexuality, 1990**
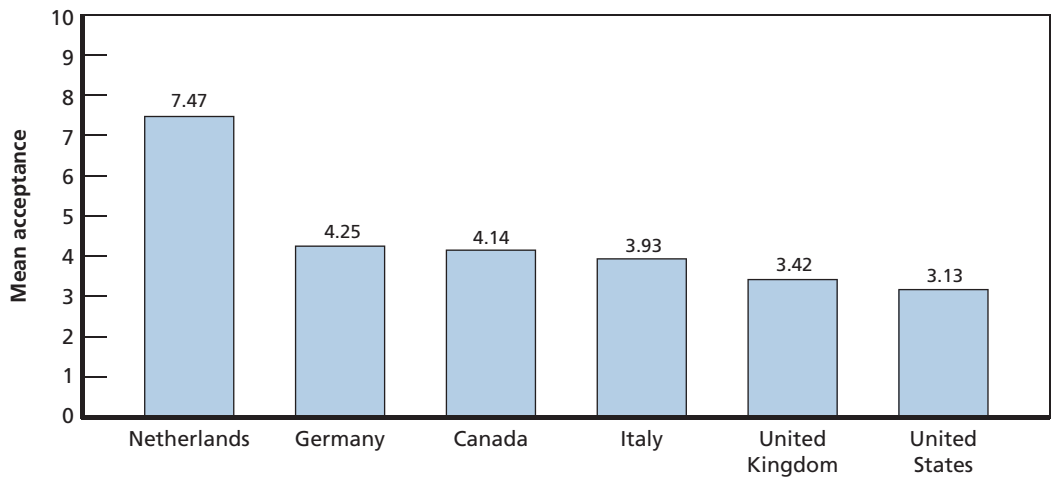


SOURCE: Anderson and Fetner, 2008, p. 948.

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**Figure 10.4**
**Mean Acceptance of Homosexuality, 1999**
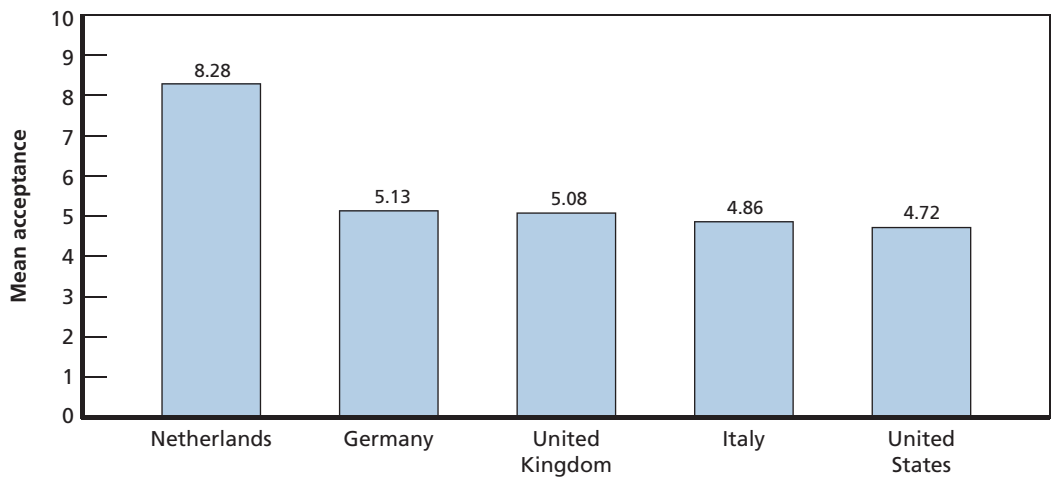


SOURCE: Anderson and Fetner, 2008, p. 948.

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HPAT in the United Kingdom showed overwhelming opposition within the military to the policy change and that those surveyed believed that the policy change would damage combat effectiveness, recruiting, and retention.

### Findings on Implementation

- *All countries manage behavior through codes of conduct.* None of the countries we visited adopted special policies that address issues related to sexual orientation. Instead, all personnel are held to the same standard of behavior. Most countries manage behavior through existing codes of conduct, but the United Kingdom did issue a new code when the new policy went into effect.

- *No special accommodations were made.* No country provided any special accommodations for privacy, such as separate or private showers or the right to change room assignments, to any of its service members, regardless of their sexual orientation. Commanders were expected to manage any issues at the unit level, just as other interpersonal conflicts are managed. MOD officials in Canada and the United Kingdom told us that they did not consider making any special accommodations because they believed that this would undermine their new policies that called for all personnel to be treated equally.

- *Leadership plays an important role in implementation.* In the countries where implementation proceeded most smoothly, senior military leaders actively supported the new policy—regardless of their personal views about whether the policy should have changed at all. They communicated their vision of the new policy clearly and consistently throughout the chain of command, including to the NCO corps, which is particularly important since these leaders have the most direct contact with junior personnel. The United Kingdom and Canada issued particularly effective guidance for their commanders, which included the content of the new policy, implementation guidance, and talking points to enable them to correctly answer any questions. The Canadian military also saw the implementation of this new policy as a test of leadership, since it believes that leadership involves managing change as well as implementing orders. Both Canadian CF senior officials and NCOs told us that if personnel could not effectively implement this policy or were unable to adapt to working with different groups, this in itself may demonstrate that they are not fit for leadership positions.

- *Very few formal complaints involve issues related to sexual orientation.* Data from Canada and Germany show that the number of formal complaints related to sexual orientation is extremely small, and we heard the same thing anecdotally in the other countries we visited. This suggests that any issues that arise are being managed at the unit level (although we cannot determine how well they are being managed, since personnel may choose not to file formal complaints for a number of reasons).

- *No country that we studied provides separate training on issues related to sexual orientation.* Instead, their training on harassment and, in some cases, broader diversity issues includes some examples related to sexual orientation.
- *Some countries found it much harder to integrate women into the force than to integrate gay personnel.* Canada, Germany, and the United Kingdom were significantly expanding opportunities for women in their militaries around the same time that they changed their policies on sexual orientation, and the MOD officials and serving personnel in these countries with whom we spoke believe that gender integration has been far harder.
- *Chaplains do not regard working with gay service members as incompatible with their religious beliefs.* The chaplains we spoke with consistently expressed that their mission was to care for all soldiers under their command, regardless of their sexual orientation (and regardless of their religion as well). They emphasized that they were not allowed to do anything that conflicted with their denominational beliefs—such as perform gay marriages in countries where that is legal—but that they were required to refer people to others who could help them with their needs. Chaplains in Canada and the Netherlands are specifically screened based on their ability to work in open and diverse environments.
- *Military benefits evolved over time and usually followed national legislation.* Few countries extended military benefits to same-sex partners when the policies changed. When civil partnerships became legal, such military benefits as the right to live in family accommodations and to inherit pensions were then extended to recognized same-sex partners of military personnel in accordance with the new laws.[38]
- *Countries differed in how proactively they managed implementation.* Some countries, including Canada, the Netherlands, and the United Kingdom, provided continuous training and education and conducted policy reviews to ensure that the policy change succeeded and that discrimination did not occur. Other countries, including Israel, have been more passive, reacting to individual incidents and problems as they arise. In these countries, it is harder to determine whether formal policies are being followed in practice.

**Findings on Consequences of the Policy Change**

The countries we visited reported no significant problems of any type after the policy change. Although many negative consequences had been predicted, particularly by the Canadian and British surveys, none of them actually occurred. British descriptions of

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[38] Relatively few military personnel live in military family housing in the countries we visited, so this is much less of a concern than it would be in the United States. Health benefits are also less of a concern, since health care is provided nationally in these countries (though in some cases it is less expensive to get health care through a partner's or spouse's employer).

their policy change—that "the world did not end" and that it was "like flipping a light switch"—were echoed in the other countries we visited. In particular,

- *There have been no reported problems with unit performance.* The MOD officials, commanders, and other service members we met with all reported that the policy had not affected unit performance in any way. Furthermore, all the countries we visited have all participated in combat operations since their policies changed, sometimes working very closely with U.S. forces, and sexual orientation has not been an issue during these operations. Some commanders told us that sexual harassment of women by men poses a greater threat to unit performance than sexual orientation. Some commanders and serving personnel told us that the policy change had improved unit performance because gay personnel could now devote their full attention to their jobs rather than living under the threat of losing their jobs and having to monitor what they said and how they behaved.
- *There have been no reported problems with recruiting and retention.* MOD officials in every country we visited told us that they observed no changes in recruiting and retention after the policy change. Because so many factors affect recruiting and retention, it is difficult to isolate the effects of the policy change, but no countries reported any known problems, and none chose to revisit their policies in any way. No countries set specific recruiting goals for gay personnel, but many do reach out to the gay community through advertisements in the gay press or by hosting recruiting booths at gay pride events to demonstrate that the militaries are a diversity employer of choice and are open to and inclusive of all.
- *Coming out was personal, not public.* Gay personnel remain sensitive to the attitudes of those in their units. Fewer gay service members tend to come out in units with reputations of being less friendly to gay personnel, but some do choose to come out in these types of units. In any case, gay personnel generally make their sexual orientation known by no longer hiding their private lives, often by putting up pictures of their partners at their desks or mentioning their partners in discussions of weekend activities, rather than by making public declarations to members of their units.

## Summary

We found that some, but not all, foreign militaries adopted policies that allowed known gay personnel to serve because of some outside factor, such as a court ruling. At the time the policy was adopted, military leadership and troops often resisted the change, and some predicted dire consequences.

The countries we visited instituted the policy change in a similar manner. They all manage behavior through codes of conduct applied consistently to all service members without regard to sexual orientation. No country provides special accommodations for privacy to any of its service members, regardless of their sexual orientation. Leadership plays a critical role, and commanders are expected to manage any issues at the unit level, just as they do for other interpersonal conflicts. Provision of family benefits evolved over time, with few benefits extended to same-sex partners when the policies changed. When civil partnerships and/or gay marriage became legal, military family benefits followed the new laws.

Countries differ in how proactively they manage integration of gay personnel. No country provides separate training on issues related to sexual orientation, although some have incorporated examples involving gay personnel into existing training on diversity. Some countries offer continuous diversity training and monitor the results over time. We learned of very few formal complaints of harassment based on sexual orientation.

Gay service members we interviewed are sensitive to the attitudes of those in their units in choosing whether to reveal their sexual orientation. Fewer gay service members tend to come out in units with reputations for being less friendly to gay personnel, such as special forces and the infantry. When gay personnel do come out, they typically do so by mentioning their partners in conversations with friends in their units rather than by making public declarations.

None of the countries we visited reported problems with unit performance as a result of allowing gay personnel to serve without restriction. All the countries have had combat experience since their policies changed and report that sexual orientation has not been an issue in these operations. Some commanders and gay service members told us that the policy change had actually improved unit performance because gay personnel could now devote their full attention to their jobs. Some commanders told us that sexual harassment of women by men poses a far greater threat to unit performance than anything related to sexual orientation.

Finally, we found no reports of problems with recruiting or retention as a result of allowing gay men or lesbians to serve without restriction. Many countries reported that their recruitment strategies include reaching out to the gay community to demonstrate that the militaries are a diversity employer of choice and are open to and inclusive of all.

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# The Experience of Domestic Agencies: Police, Fire, and Federal Agencies[1]

## Overview

In 1993 RAND researchers "took advantage of the similarities between municipal public safety departments and military organizations to examine the experience of police and fire departments . . . to understand what happened in these departments when policies of non-discrimination were implemented . . . [and to obtain] insights into the implementation process itself" (RAND, 1993). These agencies had neither formal bans on gay employees nor limits on the roles they could perform yet reported having few openly gay employees. Now, 17 years later, public safety agencies offer important lessons on how organizational policy, practice, and dynamics have evolved in light of societal changes that arguably have led to an increasing number of known gay men and lesbians serving in these agencies. In addition, for this update we also obtained the perspective of federal agencies engaged in law enforcement and those with a foreign mission involving collaboration with military personnel overseas. In this chapter we examine the evolution of workplace protections and benefits in these agencies and discuss how these policies and practices have affected the behavior of gay and heterosexual workers, the job performance and career advancement of gay personnel, and the overall performance of the agencies.

Most agencies included in the study comply with laws or executive orders that ban discrimination based on sexual orientation. Those agencies that do not operate with such explicit policies have institutionalized practices that enforce workplace protections for gay employees. Because these policies and practices have been in place for 15 years or more, many of those we spoke with never knew a time when sexual orientation was considered in job-related decisions, such as hiring and promotion. The primary policy change now taking place in these agencies is the extension of benefits to same-sex partners. We found a wide range of policies, from agencies with no benefits

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[1]  This chapter was prepared by Greg Ridgeway, Laura Werber Castaneda, Amanda Brown Cross, Elizabeth Wilke, and Jessica Saunders.

to those that offered same-sex partners the same benefits as heterosexual spouses, with some agencies in the midst of adopting new policies.

Our interviewees reported that workplace protections have had modest effects on the behavior of gay employees and their coworkers. Most gay men and lesbians working in these agencies either choose to keep their sexual orientation to themselves or reveal it to selected coworkers. Departments reported more gay employees in their ranks than we found in 1993, but their numbers remain small. Known lesbians are far more prevalent than known gay men, even though women represent a relatively small fraction of the workforce we studied. We learned of few incidents of harassment of gay personnel, and when they occurred they were dealt with at the lowest levels of the organization. Agencies cited far more incidents of harassment of women and racial minorities than of gay people.

According to our interviews, actual practice appeared to align with policy: Gay men and lesbians were allowed to serve in any capacity in their organizations and were promoted based on the same criteria as other personnel. As a result, they were represented in leadership positions—in some cases, top leadership. We were also told that the presence of gay employees did not undermine unit performance and in some cases was reported to improve performance. Core public safety tasks were uniformly believed to be unaffected by the presence of gay personnel. Some police officers and firefighters claimed that their organization's legitimacy depended in part on a force that resembled the community they served. Officials at several agencies noted that creating barriers for gay men and lesbians to join and advance in their organization would diminish the pool of high-quality employees available to the organization and reduce its overall performance. Many agencies indicated that new recruits are increasingly accepting of diversity and that, as this trend continues, incidents of discrimination will become increasingly rare.

## Study Approach

### Selection of Municipal Police and Fire Departments

The 1993 study team selected police and fire departments from Chicago, Houston, Los Angeles, New York, San Diego, and Seattle for inclusion in the study. This same collection of cities did not seem ideal for review in 2010 because socially liberal communities were overly represented and most did not have a large veteran population, large source of military recruits, or military bases in close proximity. To address these concerns, we used purposive sampling (Eisenhardt, 1989) rather than random sampling. While this approach makes it difficult to generalize from our findings, it serves the purpose of our study, which is to inform the development of military personnel policy rather than to test hypotheses pertaining to communities or public safety agencies nationwide. Accordingly, we intentionally selected a group of urban areas that were sufficiently

populous to support large police and fire departments (hierarchical command structures in small departments would be too dissimilar compared with the military) and that would provide variation across key dimensions: conservatism, racial/ethnic composition of the population, and prevalence of military veterans. Our selection was also informed by a review of media reports, which helped us to identify cities that either were very successful in managing issues related to diversity in sexual orientation or had experienced very public problems (e.g., lawsuits).

Table 11.1 offers details about the cities we selected for our sample. We retained three cities from the 1993 study: Houston, San Diego, and Chicago. We added Charlotte and Oklahoma City because they reflected more socially and politically conservative regions of the country, and we included Philadelphia not only for the attributes listed in Table 11.1 (e.g., larger size, large contingent of racial/ethnic minorities) but also for its East Coast location and a collection of media reports noting a history of tension related to sexual orientation. We had intended to study both the municipal police and fire departments in each city, but we were not fully successful in our recruitment efforts. Specifically, the San Diego Police Department and the Houston Police Department declined to participate in the update effort. We ultimately included the Orange County (California) Sheriff's Department. In addition, despite our efforts, we were not able to establish contact with the Philadelphia Fire Department. The final

**Table 11.1**
**Municipal Police and Fire Departments**

| City or Region Name | Departments Included | Included in 1993 Study? | Sexual Orientation a Protected Characteristic? | Population | Nonwhite (%) | Military Veteran (%) | Conservative 2004 Vote Rank (out of 237 large cities) |
|---|---|---|---|---|---|---|---|
| Oklahoma City, Okla. | Police, fire | No | No | 540,000 | 40 | 12.5 | 22 |
| Orange County, Calif. | Sheriff | No | Yes | 3,000,000 | 54 | 7.0 | 51 |
| Houston, Tex. | Fire | Yes | Yes; 20+ years | 1,950,000 | 72 | 6.2 | 61 |
| Charlotte, N.C. | Police, fire | No | Yes; 2010 | 590,000 | 50 | 9.1 | 113 |
| San Diego, Calif. | Fire | Yes | Yes; 20+ years | 1,220,000 | 52 | 10.8 | 119 |
| Philadelphia, Pa. | Police | No | Yes | 1,450,000 | 61 | 7.8 | 220 |
| Chicago, Ill. | Police, fire | Yes | Yes; 20+ years | 2,730,000 | 68 | 5.5 | 221 |
| National | | | | | 33 | 10.3 | |

SOURCE: RAND interviews (protected characteristic status); U.S. Census Bureau, 2006–2008 American Community Survey (population, race, and veteran status); Bay Area Center for Voting Research (Bay Area Center for Voting Research, 2005; conservative 2004 vote rank).

sample of municipal agencies consisted of five local law enforcement agencies and five fire departments.

A concern raised in 1993 and again in preparing this report is that municipal police and fire departments are different from the military and that their experiences may not be relevant. Yet, like the U.S. military (and unlike foreign militaries), domestic public safety agencies consist almost entirely of American citizens and function in the American cultural and societal context. Although they do not have a large fraction of personnel overseas in combat zones and they are not usually deployed for months at a time, they are hierarchically organized, they rely on an all-volunteer force, they train for intense periods of hazardous duty that puts lives at risk, and their personnel often share living conditions for short periods of time. However, to increase the relevance of our analysis to the U.S. military, we expanded our sample of domestic agencies to include a number of federal agencies engaged in law enforcement and those with a foreign mission involving collaboration with military personnel overseas.

**Selection of Federal Agencies**

In a departure from the 1993 report, we have included the Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), the State Department, and the U.S. Agency for International Development (USAID). These agencies are analogous to the U.S. military in ways that the other domestic agencies we studied are not: They regularly deploy overseas and sometimes deploy alongside members of the military in war zones and conflict areas. Moreover, they operate under federal employment laws that apply to all federal civilian employees (although not to the military). For example, in 1992 restrictions that automatically disqualified known gay employees from obtaining security clearances were removed. In 1998, Executive Order 13087 focused on creating equal opportunities went further and explicitly banned discrimination on the basis of sexual orientation (The White House, 1998). This evolution in workplace protections for gay employees offers more evidence for our study of how organizations and their employees adapt to changing policies and to greater numbers of gay personnel in the workplace.

To gain a wider perspective on the federal government's experience with matters involving gay members of the civilian workforce, we interviewed officials from the Office of Personnel Management (OPM), the independent federal agency that oversees the management of the federal workforce, and the Merit Systems Protection Board, a separate executive branch agency that conducts merit systems studies and adjudicates individual employee appeals. We also spoke with senior officials responsible for human resources (HR) policy at the Department of Homeland Security (DHS) and for civilian personnel management at DoD. Both of these organizations provided a broad, high-level policy perspective from within large federal departments containing different agencies and components.

Table 11.2 indicates areas in which there are some similarities between the types of organizations we studied and the U.S. military.

**Data Sources and Analysis**

At each organization we aimed to interview agency leadership at various levels, as well as individuals responsible for corporate functions, such as HR and recruiting. In many cases, we interviewed the agency's top leadership (not necessarily the chief executive, but someone at or above the rank of deputy chief), a leader of an operational unit (e.g., patrol captain, fire battalion chief, field office director), the director of HR, the supervisor of the agency's recruiting program, and the leadership of the employee union. Although we were not able to interview someone in each of these positions at all the agencies, we consistently interviewed at least one senior leader and the director of HR (or the equivalent). We were less successful, however, in conducting interviews with leaders lower in the hierarchy at all police and fire departments—those who interact with rank and file officers or firefighters daily, such as a fire station or police precinct captain (i.e., similar to the company grade officer level). Finally, we note that those we interviewed are not representative of the employees at these organizations. On the contrary, we interviewed a select group who had achieved important ranks and positions within their organizations.

Table 11.3 lists the types of individuals we interviewed at each of the agencies. Although not indicated in the table, for some agencies we interviewed multiple individuals in the specified capacity (e.g., the HR director and the Equal Employment Opportunity [EEO] officer, two unit leaders). Topics varied depending on the interviewee's area of expertise, but overall we obtained insights about how each agency approached

**Table 11.2**
**Comparison of Organizational Characteristics in the U.S. Military and Domestic Agencies Selected for This Study**

| Organizational Characteristic | U.S. Military | Police Departments | Fire Departments | Federal Agencies |
|---|---|---|---|---|
| Is composed almost exclusively of American citizens | ✓ | ✓ | ✓ | ✓ |
| Is an all-volunteer force | ✓ | ✓ | ✓ | ✓ |
| Has hierarchical command structures | ✓ | ✓ | ✓ | ✓ |
| Requires teamwork in performing critical, even life-threatening, missions | ✓ | ✓ | ✓ | ✓ |
| Requires members to share housing | ✓ | | ✓ | |
| Deploys overseas | ✓ | | | ✓ |
| Deploys in war zones and conflict areas | ✓ | | | ✓ |

**Table 11.3**
**Sources of Information, by Agency**

| Agencies | Interviews | | | | | Documentation | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Top Leadership | Unit Leadership | HR/EEO | Recruiting | Union Leadership | Policy Survey | Nondiscrimination Policy | Other Policies | Newspaper Articles |
| **Federal** | | | | | | | | | |
| CIA (classified) | | | | | | | ✓ | ✓ | |
| Department of Homeland Security | | | ✓ | | | | | | |
| DoD Civilian Personnel Policy | ✓ | | | | | | | | |
| FBI | | ✓ | ✓ | | | ✓ | ✓ | ✓ | |
| State Department | | | | | ✓ (AFSA)[a] | | | | |
| **Municipal** | | | | | | | | | |
| Charlotte Fire Department | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| Chicago Fire Department | ✓ | | ✓ | | ✓ | | ✓ | | |
| Houston Fire Department | ✓ | | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| Oklahoma City Fire Department | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| San Diego Fire Department | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ |
| Charlotte-Mecklenburg Police Department | ✓ | ✓ | ✓ | ✓ | Not unionized | ✓ | ✓ | ✓ | |
| Chicago Police Department | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ |
| Oklahoma City Police Department | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | |
| Orange County (Calif.) Sheriff's Department | ✓ | ✓ | ✓ | ✓ | | | | | |
| Philadelphia Police Department | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ |

[a] The American Foreign Service Association (AFSA) represents employees in the Foreign Service across multiple federal agencies, most but not all of which fall under the State Department.

integrating gay employees into its workforce; what pivotal events or policy changes related to sexual orientation affected the organization; how policy changes were implemented; and what issues emerged related to gay personnel serving in the force, including how any difficulties were resolved and whether manpower-related outcomes were affected. Although our semistructured approach to interviewing resulted in variations in our line of questioning, we consistently asked questions related to potential negative effects that gay employees might have had on individual, group, or institutional effectiveness. For example, we posed questions about effects on unit cohesion, readiness, and performance; about the leadership abilities of gay supervisors; and about the effects that the employment of gay personnel might have had on manpower-related outcomes, such as recruiting and turnover. To increase the likelihood that we would hear about problems, questions were often presented in a negative form. To illustrate, when exploring social cohesion we asked if gay personnel tended to be disliked or ostracized (instead of whether they tended to be liked or included). We conducted all interviews in July and August 2010. With few exceptions, the interviews were conducted in person by two RAND researchers, one of whom served as the dedicated notetaker for the interview.

In addition, we collected key documents from each agency, including their non-discrimination policies, policies and practices regarding hostile work environments and harassment, and summaries of benefits available to spouses and partners of employees (also listed in Table 11.3). Agencies were also asked to complete a short policy-oriented questionnaire that we developed, and we conducted database searches of national news sources to obtain media reports of pivotal events experienced by any of the selected agencies since 1993. For example, we located several accounts of a lawsuit filed by San Diego firefighters after being ordered to participate in the city's gay pride parade. The interviews with the CIA were classified (and therefore not indicated in the table), but we reviewed public-source documents about their policies and discuss them in this report.

Finally, one member of our project team was present at the annual Lesbian Gay Bisexual Transgender (LGBT) Conference for Law Enforcement and Criminal Justice Professionals held in June 2010 in Chicago, Illinois. While at the conference, she attended pertinent conference presentations and engaged in informal conversations with approximately 40 conference participants from various state, local, and federal departments. Findings based on this conference were analyzed separately and incorporated into the agency-level analysis where appropriate.

Analysis of these data sources consisted of two phases: within-case (or agency) analysis and cross-case analysis. Following Eisenhardt (Eisenhardt, 1989), our within-case analysis centered on detailed site-visit write-ups intended to be primarily descriptive, lacking researcher impressions and other commentary. In order to ensure that these write-ups had a parallel structure that would facilitate cross-case analysis, we developed an agency synthesis guide. This guide provided both detailed instructions

about the write-up process and a list of topics that should be covered within the write-up. Another researcher independently reviewed the interview notes and agency documents and identified patterns and cogent findings for that location. The synthesis guide topics corresponded to the topics covered during interviews and also covered background information for the location and interesting or unique location features. As a final step, we conducted cross-case analysis by comparing and contrasting agencies along each of the dimensions highlighted in the synthesis guide to identify patterns across the locations and understand possible reasons for cross-site variation.

## Key Findings from the Experience of Domestic Agencies

This section describes the results of our cross-case analysis. We first describe our findings on institutional policies and practices and then describe the effects of workplace protections on behavior (of both gay and heterosexual employees), institutional performance, and recruitment and retention. Within each topic we begin with what we learned from our interviews with police and fire departments and conclude with findings from our interviews with federal agencies. As we explained above, federal agencies, unlike police and fire departments, have shifted from a policy that made it more difficult for gay men and lesbians to serve (because of the challenges of acquiring a security clearance) to a policy that explicitly prohibits discrimination based on sexual orientation. As a result, greater numbers of gay personnel are serving in all agencies and acknowledging their orientation.

### Institutional Policies and Practices

**Workplace Protections.** A generation of police officers, firefighters, and federal law enforcement agents has served in organizations in which sexual orientation is, at least in policy, a nonissue. Although there is no federal law banning discrimination on the basis of sexual orientation, as there is for such classes as race and gender, half of the states have executive orders, judicial orders, or legislation prohibiting such discrimination. As of 2007, an estimated 49 percent of police officers work in states with such bans (Rudyk, 2010), and many more work in municipalities or departments that have created their own protections.

Incidents of harassment have also reached the courts, where the legal foundation for antidiscrimination policies based on sexual orientation has been established. In a 1999 case, *Quinn v Nassau County Police Department* (1999), for example, a police officer who had been "outed" by an assistant district attorney was repeatedly harassed by fellow police officers with the full knowledge of their supervisors. This case not only documented that harassment of gay personnel occurs, but also that it falls under the same protections against a hostile work environment that exist for women and minorities (Rudyk, 2010). In another case, *Gay Officers Action League v Commonwealth of*

*Puerto Rico* (2001), gay officers challenged the Puerto Rico Police Department's Regulation 29, which declared that associating with homosexuals violated the department's code of conduct and would put an officer at risk of discipline. The judge found the policy unconstitutional.

All the municipal agencies we visited operate in environments in which sexual orientation is officially or essentially a protected characteristic. In the cases of Chicago, Houston, San Diego, Orange County, and several federal agencies, state ordinances or executive orders have been in place for more than 15 years; thus, almost all of the individuals we interviewed rose through the ranks in an organization with nondiscrimination policies and were unfamiliar with their organization being any different. The State Department, for example, has been essentially operating with such a policy since 1994, when then–Secretary of State Christopher issued a two-sentence memo that stated, "The Department of State is committed to equal opportunity and fair and equitable treatment for all. The Department shall not discriminate among its employees or candidates for employment on the basis of race, color, national origin, sex, religion, disability, or sexual orientation" (Christopher, 1994).

In cases where there is no official, explicit policy concerning discrimination based on sexual orientation, agencies are effectively operating as if sexual orientation were protected. In April 2010, the City of Charlotte added sexual orientation as an explicit category to its nondiscrimination policy. Before this policy was adopted, Charlotte had a more general nondiscrimination policy that, according to those we interviewed, was understood to include sexual orientation even though it was not explicitly spelled out in the policy. The two Oklahoma City agencies do not have nondiscrimination or anti-harassment policies that explicitly include sexual orientation. Nonetheless, their policy states that "employment decisions shall be made on the basis of skill, ability, qualifications, and job performance" (Oklahoma City, 2000), so any claims of discrimination could still move forward. Employment actions (hiring, promoting, or firing) based on any factor unrelated to job performance would also likely violate the contract that Oklahoma City has with the police and firefighters unions. Sexual orientation is a protected characteristic for all practical purposes.

We heard of other departments that do not explicitly include sexual orientation in their nondiscrimination policies yet, in practice, are acting as if these protections exist. An attendee at the LGBT Conference for Law Enforcement and Criminal Justice Professionals believed that his department in Florida could legally fire him for being gay and that there were no workplace protections for gay personnel. Nevertheless, this officer, who was not openly gay in his department, requested time off and travel funding to attend the conference, including the title and description of the conference in his request. The department's general counsel advised that if the department had a practice of sponsoring other officers' attendance at conferences for the traditionally protected groups, then the department should agree to support this officer's request or risk a lawsuit.

While workplace protections for gay employees appear to go back decades for several agencies, most agencies report that they have altered their policies over the years in modest ways. Some departments reported that questions regarding sexual orientation were a regular part of the background check 20 or more years ago. One fire department reported that in the 1970s, polygraph tests resulted in the rejection of gay or lesbian candidates. Such background questions have since been removed. In another case, the San Diego Fire Department had traditionally assigned employees to staff the department's participation in parades, but when some firefighters complained (and sued) about being ordered to participate in the city's gay pride parade, the department developed a system that allows employees to opt out of one parade per year. These examples are modest changes in managing workplace issues regarding sexual orientation. They suggest that the nondiscrimination policies and other practices in place have not been particularly disruptive but that, over time, they have been modestly amended to address emerging issues.

Complaint processes for any harassment or discrimination claims have also slowly changed over time to make it easier for employees to be heard and for their concerns to be addressed. First, many organizations have provided multiple complaint avenues rather than requiring that employees abide by the chain of command. Instead, employees can file complaints with their supervisor, to Internal Affairs, to their HR or EEO office, to a separate city agency, and in some places to a state or federal agency. There are often multiple modes available by which to file complaints—in person, by phone, and online. Second, organizations have varied reporting requirements for staff. Most employees in official supervisory positions are now required to report complaints of harassment or discrimination. However, the Chicago Fire Department retains a Human Relations Coordinator, a licensed social worker who serves primarily in HR capacities but also as a counselor and mediator for employees with concerns or problems. This person is *not* obligated to report complaints, and employees go to this person to seek advice and talk through concerns and strategies for resolving complaints. During our interviews with Chicago Fire Department personnel, some claimed that the creation of this position is the most progressive move the Chicago Fire Department has ever made.

In contrast to the variation in the legal environment of these municipal agencies, the federal civilian workforce is strictly prohibited from discriminating against employees based on their sexual orientation, as established in 1998 by Executive Order 13087 (The White House, 1998). As a result, all the federal law enforcement agencies, intelligence agencies, and foreign service agencies, many of which collaborate with the military, operate within this executive order, although federal agencies vary in how they operationalize this policy.

Interviewees noted the change in policy toward security clearances negotiated in 1992 and the 1998 executive order as the pivotal events that altered the workplace for gay employees. In addition, we learned from our interview at OPM that federal statutes have long held that federal employees are to be managed based strictly on

how well they perform their assigned duties (Civil Service Reform Act of 1978 and 5 U.S.C. 2302[b][10]). As a result, these officials reported that sexual orientation should not and generally has not been an employment issue. Like the municipal agencies, the federal agencies have formal complaint processes to address charges of discrimination or harassment. The State Department, for example, cross-designates a Foreign Service Officer (FSO) at each post to be the EEO officer who takes complaints. Even though sexual orientation is not a protected class, the State Department's own EEO policy includes sexual orientation, and EEO officers will refer such cases back to the State Department's Office of Civil Rights for adjudication.

In some contexts the differences between state law or agency policy and DADT create an inconsistency. For example, although the courts have not ruled that the U.S. Constitution prohibits discrimination on the basis of sexual orientation, state courts have made such rulings based on their state constitutions. Therefore, in those states, gay members of the states' National Guard units cannot be discriminated against based upon their sexual orientation, at least when operating under state authority. For instance, in *Holmes v California National Guard*, 90 Cal. App. 4th 297 (2001), the court held that application of DADT to state positions not requiring federal recognition violated the California constitution. As another example, DHS is in the process of crafting a nondiscrimination statement that says that DHS does not tolerate discrimination on the basis of sexual orientation, but the DADT statute would apply to the U.S. Coast Guard when operating under DoD authority (14 U.S.C. 1).

In addition to providing management and oversight of U.S. military forces, DoD is also the largest employer of civilians in the federal government, employing over 650,000 personnel. The same rules and regulations for civilian management in other federal agencies also govern the management of civilian personnel in DoD. Therefore, Executive Order 13087 applies to DoD, as do the other presidential and OPM memoranda. Further, differences in policies governing military and civilian personnel will place particular federal civilian employees in a position of being governed by one set of rules as civilian employees of the federal government and a different set of rules as members of the reserve components. Currently, the number of civilian employees of DoD who are members of a reserve component within the Ready Reserve (as a unit member or individual augmentee, military technician, or member of the individual ready reserve) is estimated at approximately 87,000. Across the federal government as a whole, the number of civilian employees who are members of any category within the reserve components is estimated by OPM to total about 150,000. These examples of the National Guard, DHS, and DoD civilian personnel describe scenarios in which DADT is incongruous with trends in protections for gay employees at analogous workplaces.

**Benefits.** The cities we studied varied with respect to extending such benefits as health, dental, and vision insurance to same-sex domestic partners. Moreover, whether due to moral or financial concerns, in some cities the issue was more controversial than

the adoption of policies and practices intended to protect gay employees from a hostile work environment. For example, in Charlotte, gay employees have been lobbying at least since 2005 for same-sex domestic partner benefits. While the attention their efforts generated was regarded by some as an impetus for the city's recent decision to include sexual orientation explicitly in its nondiscrimination policy, same-sex partners of gay city employees will not be eligible for benefits until 2011. In addition, in Chicago, a group of clergy sued the city regarding its policies toward domestic partnerships since the benefits offered to same-sex partners were not offered to unmarried opposite-sex partners. However, the city prevailed in court, citing that unmarried opposite-sex couples have the option of marriage.

At the time of this writing, three of the municipalities we studied—Houston, Oklahoma City, and Charlotte—did not consider same-sex domestic partners eligible for benefits, although policies are slated to change in Charlotte next year. Other cities in our study already have policies in place that extend benefits to same-sex partners. In these cities, an affidavit for domestic partnership is typically required. For instance, in San Diego, partners must submit a notarized statement certifying that they meet several conditions, including sharing the same regular and permanent residence, being in a committed, non-platonic relationship that has existed for at least 90 days, and being jointly responsible for basic living expenses. In Philadelphia, same-sex domestic partners must register with the city's life partnership registry before seeking partner benefits.

In the federal arena, the most recent changes in workforce policy related to sexual orientation have expanded partner benefits for gay employees. In June 2010, OPM issued a memorandum to all federal agencies directing them to comply with the Presidential Memorandum on the Extension of Benefits to Same-Sex Domestic Partners of Federal Employees (The White House, 2010) to extend a host of benefits to their employees' same-sex domestic partners as permitted by law. These benefits include sick leave, funeral leave, some domestic relocation benefits (e.g., no-cost common household transfers), some retirement-related benefits (e.g., counseling services, survivor annuity insurable interest), some overseas-related benefits (e.g., healthcare coverage, diplomatic passport and immunity), and other benefits, such as the death gratuity payment, the employee benevolent fund, and expense-reimbursed attendance at awards events. As a case in point, the FBI has initiated a practice of approving in-house transfers of same-sex couples. For married FBI agents, the bureau's policy is to accommodate a spouse in the same office to which the bureau is transferring the other spouse. In the late 2000s, a lesbian couple, both FBI agents, was treated the same way and reassigned together.

Notable benefits for which same sex-partners of federal employees are still not eligible include health benefits, dental and vision insurance, group life insurance, flexible spending accounts, public safety officers' death benefits, retirement spousal survivor annuities, and leave related to the Family Medical Leave Act. OPM provided guidance to ensure consistent and appropriate implementation across agencies. Because

the Defense of Marriage Act (DOMA) defines marriage as a union of a man and a woman, it effectively prohibits offering benefits to same-sex partners that are not available to opposite-sex unmarried partners. Therefore, at present, federal agencies cannot offer health, life, and relocation benefits to same-sex partners. As in Chicago, AFSA, the union for Foreign Service employees, sees partner benefits as most relevant to gay men and lesbians in the Foreign Service because heterosexual partners have the option of receiving benefits by getting married. Several agencies acknowledged that they are pushing up against these legal limits to ensure that they can attract and retain high-quality employees. Representatives of AFSA noted that "in essence, State is right up against DOMA with what they're able and willing to give to their same-sex employees." They also indicated that if DOMA's restrictions were relaxed in any way regarding benefits for same-sex couples, then the State Department would continue to go as far as possible to put benefits on par with married couples.

While DOMA prohibits relocation and health care for same-sex partners domestically, among other benefits, the State Department has determined that it can offer these benefits for staff working overseas. In 2009, it extended eligible family member status to domestic partners of employees and to their children. Other federal agencies that we interviewed soon followed suit. For example, in August 2009 the Department of Justice began offering family visitation travel and health care at overseas posts to same-sex domestic partners. The FBI confirmed that it has adopted these policies for agents posted overseas. Agencies within DHS are also adopting nondiscrimination policies, although many agencies have external as well as internal issues. For example, internally the Transportation Security Administration (TSA) has aligned its overseas benefits with OPM's guidance on extending benefits to same-sex domestic partners. However, the TSA also has external issues regarding how it interacts with the public. Recently the TSA has moved to a "don't define family" approach in response to an employee's reluctance to process a same-sex family together.

In response to the OPM's direction to review benefits offered to same-sex domestic partners of civilian employees, the Office of the Secretary of Defense identified benefits that could be extended by DoD and established a working group to develop a departmentwide directive defining all the benefits that can be extended under law. Such benefits are expected to include, for example, various benefits and allowances for same-sex partners who relocate overseas. Additional benefits are expected to include access to services and facilities on military bases currently available to spouses of civilian employees of DoD. These changes, when implemented, will create a visible contrast in treatment of gay men and lesbians within a workforce that contains both military and civilian personnel, working alongside each other and in both supervisory and subordinate roles to each other.

In testimony to Congress, OPM's director noted (Berry, 2009) that the federal government needs to reflect the benefits being offered in the private sector if it is to attract the most qualified workforce:

> Historically, the Federal Government has in many ways been a progressive employer, but we're behind the private sector and 19 states, including Alaska and Arizona, on this one. Almost 60 percent of Fortune 500 companies already offer similar benefits to the same-sex domestic partners of their employees. These companies include American Airlines, Chevron, Archer Daniels Midland and Lockheed Martin. The Federal Government does not effectively compete with these companies for every talented person when we fail to offer comparable job benefits to our employees.

The FBI echoed this sentiment. Their executive assistant director of the HR branch, formerly the HR director of a Fortune 500 company, noted that the FBI's failure to adopt the best HR practices, such as those of Google and Cisco, have undermined the FBI's ability "to go where the talent is."

Two pivotal events in the FBI have recently demonstrated that the agency is enforcing its new policies. The first was the formation of a lesbian, gay, bisexual, and transgender affinity group of FBI agents and staff in 2008 and, more importantly, the appearance of the FBI director at the group's kickoff event, where he made a public statement of support. Interviews at a field office confirmed that these two events were well known throughout the bureau and sent a message from the FBI director that gay employees were fully accepted in the bureau.

**Workplace Environment.** Among the organizations we visited, fire departments are most similar to the kind of extended close living quarters found in the military. Firefighters usually work 24- to 48-hour shifts followed by one to four days off. During work hours, firefighters maintain equipment, eat meals together, share recreational facilities, and sleep in dormitory-like facilities. Although fire departments have made changes, particularly in bathroom and sleeping facilities, to accommodate growing numbers of female firefighters, in many cases the design of fire houses still limits privacy. Indeed, the fire departments we studied universally noted that the integration of women into firefighting was a major challenge. In fact, it was so challenging that to some interviewees, the issues we raised about integrating gay employees seemed trivial by comparison. Bathrooms and most sleeping areas are separated by gender, though in the older fire houses some bathrooms simply have a reversible sign that indicates whether it is presently for men or women, and sleeping areas are separated only by a curtain. Newer stations have sleeping quarters that are arranged like cubicles. Privacy, like that afforded by private rooms, was mentioned as too much privacy during work hours by one fire department chief, though other fire departments did extend this level of privacy to firefighters on duty. Firefighters are generally required to wear appropriate attire to bed, such as shorts and T-shirts, partly for decency but also so that they are more ready to leave should a call come in while they are sleeping.

None of the departments interviewed saw the need for privacy accommodations for gay firefighters. They indicated far more concern about other protected classes, particularly race and sex. Across the agencies studied, EEO and HR officers described

numerous anecdotes on issues of race or sex, but they had fewer stories of work environment concerns stemming from diversity in sexual orientation. For example, one gay firefighter was thought to be "shaving a lot" because the mirror offered a view of the showers. Prior to 1993, when little was known about HIV, closer to the outset of the epidemic, sharing common space with gay men and lesbians generated more controversy. One firefighter did not want to shower or use the same bed as a gay man who was HIV positive, and that firefighter "bid out" of the station. In another station, firefighters expressed concern about an HIV-positive firefighter handling food. In yet another station some female officers were "vocal" about gay women sharing the locker rooms and bathrooms, but the complaints never achieved a level that required official intervention. One agency noted that complaints typically come from the lowest level of the organization, from people who had not yet been exposed to people different from themselves. We typically heard that concerns such as these get "worked out at the station," with staff talking out the problems, station chiefs discussing the issues with the concerned parties, or parties being given a little time that allowed them to achieve some mutual understanding.

Aside from fire departments, other agencies usually do not have shared living facilities. One exception is the FBI's training facility at Quantico. According to the interviews, no employees have complained about gay colleagues at Quantico, and, while there have been opposite-sex harassment claims, there has never been a complaint about a gay man harassing another man. The FBI reported that agents deployed overseas are housed with military personnel in military housing facilities. No agent has requested to return home from a deployment with the military because of antigay harassment or pressure. FSOs usually have private apartments when deployed overseas; however, in some critical priority countries, two or three people may share a space. A gay FSO who had been in those countries indicated that it has "absolutely been a nonissue."

**Workplace Training.** All the agencies we visited required diversity, harassment, and/or nondiscrimination-related training for employees, although they differed in terms of content and frequency. New employees frequently received this training during their academy programs. For example, the San Diego Fire Department conducts this training in the first four hours of the first day of the academy for new recruits. Likewise, the Charlotte-Mecklenburg Police Department circulates nondiscrimination and nonharassment policies to all new employees on the first day of employment. This way, they argue, employees cannot say that they did not know what constituted unacceptable behavior. Other agencies, like the Oklahoma City Fire Department, reported accomplishing the same goal by requiring employees to sign an acknowledgement of receipt of such policies and then retaining that documentation. Similarly, Houston Fire Department interviewees discussed how the department would use email to notify its employees of new executive orders issued by the city. Employees were required to print the new policy, initial it to indicate that they had read it, and turn that paperwork in to

their captain. Finally, we also learned that agencies engaged in ad hoc training, such as at the Philadelphia Police Department, where captains and other leaders would occasionally discuss nondiscrimination or harassment policies during roll call before police officers left the briefing station for their patrol shift.

Additional training is sometimes required for those in leadership positions. For example, during our visit to the Philadelphia Police Department, we learned that individuals receive two weeks of supervisor training when they are promoted to sergeant or corporal, the first line of supervision. This training focuses heavily on personnel matters, including discrimination and harassment. The organizations generally require employees in supervisory positions to repeat the training annually or biannually, but they varied a great deal in their requirements that other staff participate in refreshers. Some required annual refreshers for all employees, and others simply posted the policy in the workplace. Several departments have moved this training to an online format.

With one exception, all departments had diversity training that explicitly mentioned sexual orientation. This typically was discussed within curricula that covered diversity in general, as opposed to in a specific course or training module dedicated to sexual orientation. Interviewees from agencies including the Oklahoma City and San Diego fire departments noted that their fire departments, and a number of others, had learned a lot in the process of integrating racial/ethnic minorities and then women. They thought that those integration experiences would benefit them as issues related to sexual orientation become more prevalent. Interestingly, an earlier diversity training video, produced in house by the Oklahoma City Fire Department in 1998, included a same-sex sexual harassment scenario, but the department has since moved to a different training program.

Interviewees varied in their opinion of the effectiveness of these training materials. While their training no longer has an explicit mention of sexual orientation, interviewees from the Oklahoma City Fire Department believed that the general training was good (and abundant). The Chicago Fire Department's training, which uses an interactive format with a series of exercises rather than a lecture format, got high marks from two independent interviewees. For example, participants are asked to choose among types of people they would want to be (e.g., gay male, homeless, single mother) and discuss the reasons for their choices. The exercises are all designed to show that it is unwise to form opinions about entire groups of people. Interviewees from other agencies shared lessons that they personally learned from similar interactive exercises. At one diversity training session, participants wrote on sticky notes the names people have used for minorities and gay individuals. The words for gay men and lesbians were so vile to this interviewee that she believed that the exercise and the discussion it stimulated were effective in persuading the group that those words should be avoided.

At the State Department, all employees receive briefings on diversity and sexual harassment. The training covers sexual orientation and covers Executive Order 13087 in particular. The training notes that even though sexual orientation is not protected

under Title VII of the Civil Rights Act (42 U.S.C. 2000e), employees can still file complaints or go to separate counsel. Retraining occurs every five years at the Foreign Service Institute, which is operated by the State Department, when FSOs are back in the United States between assignments.

### Effects of Workplace Protections on Behavior

**Behavior of Gay Personnel in the Workplace.** Most gay men and lesbians working in the domestic agencies included in our study either chose to keep their sexual orientation to themselves or revealed it to selected coworkers on a case-by-case basis. Evidence for this finding came in many forms. For example, when we asked interviewees at each agency to estimate the number of gay men and lesbians serving in their organization, nearly everyone had trouble making such an estimate. But when prompted to discuss the gay men and lesbians they knew personally in their organization, they could usually develop a reasonable estimate. Those estimates also varied considerably. In one department an interviewee assured us that there were absolutely no gay men or lesbians in the department, but the chief of the same department reported that several gay men and lesbians were in leadership positions.

Table 11.4 reports the highest estimate of known gay men and lesbians that interviewees gave us with reasonable confidence. While not shown in the table, known lesbians far outnumber known gay men in all of these organizations. At one agency, interviewees had as much difficulty identifying a straight woman in the department as they did a gay man. Individuals from both police and fire departments described the culture of their agencies as a "macho culture," which may be perceived by gay members as incompatible with acceptance. Such a perception may help explain the difference in the proportion of gay men and lesbians or their level of openness regarding their sexual orientation. It may be that more gay men than lesbians choose to keep their sexual orientation to themselves to adapt to the culture they perceive in their units. Indeed, across agencies we frequently heard comments about the work environment making it different for a gay man to be open about his sexual orientation than it was for a lesbian about hers. As one interviewee told us, "People either think about it [sexual orientation] differently or accept it more readily when it's a woman. It doesn't seem like it causes as much hesitation as far as interactions go." Yet several interviewees from other departments who stated that they knew of no gay male employees added a caveat that there *must* be gay men in the workforce due to the large number of male employees and the percentage of the overall population that is gay.

**Table 11.4**
**Maximum Reported Number of Gay Men and Lesbians**

| Organization | Reported Total Number of Gay Men and Lesbians/ Number of People in Organization |
|---|---|
| Charlotte Fire Department | 33/1,100 |
| Charlotte-Mecklenburg Police Department | 80/1,600 |
| Chicago Fire Department | 100+/5,000 |
| Chicago Police Department | 300/13,000 |
| FBI | 100+/13,500 |
| Houston Fire Department | 11/4,000 |
| Oklahoma City Fire Department | 3/1,000 |
| Oklahoma City Police Department | 25–30/1,000 |
| Orange County Sheriff's Department | 100/2,000 |
| Philadelphia Police Department | 100+/6,000 |
| San Diego Fire Department | 25/1,000 |
| State Department | 120/5,000 |

NOTE: Interviewees were asked to estimate the number of gay police officers or firefighters in their respective agencies. In all cases, estimates varied across interviewees, and a number of interviewees were unable to or declined to provide an estimate. For comparative purposes, we have opted to provide the highest estimated number provided.

Both within and across agencies, we found that gay men and lesbians varied in the extent to which they wanted their sexual orientation to be a part of their professional identity. For example, a senior gay officer in one department indicated that he would prefer to market himself internally as the "technology officer" rather than to be known as the "gay officer." In another department, a gay, senior department leader sent an email to all the gay employees she knew in the department to urge them to attend the upcoming gay pride parade as part of a recruitment effort. Recipients of the email were upset about being included in the mailing list because they had no interest in being labeled, even informally, as part of a gay employee group. On the other hand, some departments provided counterexamples. The Metropolitan Police Department in Washington, D.C., for example, established gay police units, staffed primarily by gay officers, to act as liaisons with the local gay community. In Chicago, one gay officer established himself as the key point of contact, within the department and externally through the media, on public safety issues related to sexual orientation, and in Philadelphia, an interviewee noted that gay officers may opt to disclose their sexual orientation as a way to build rapport with gay crime victims.

We also learned of two incidents that illustrated and reinforced the impression that gay personnel sometimes choose to keep their sexual orientation to themselves.

In both these incidents, gay employees were upset about being "outed" by others. A lesbian emergency readiness team member did not show up for a training event, citing a critical medical issue involving her partner. Her supervisor announced to the rest of the team the reason for her absence and clearly disclosed her sexual orientation. This supervisor was counseled for a lack of sensitivity in this situation. At a fire department, the facilitator at a diversity training program asked participants to separate themselves first by race, then by sex, and then by other characteristics as part of an exercise. The aim was to show that everyone was potentially different from the majority in some way. When the participants were asked to separate themselves by sexual orientation, a senior lesbian officer, who was not publicly out to her fellow officers, felt forced out. While revealing her sexual orientation, she voiced concerns about her treatment at work as a result of her orientation. She reportedly received a very accepting, supportive response. But the gay employees in both these cases were upset that others had forced them to disclose their sexual orientation in a public way.

When gay and lesbian employees do "come out," they are almost always discrete. As one HR representative noted, "If you can't be successful out, then you won't come out." The vast majority of interviewees indicated that they learned about the sexual orientation of colleagues when they mentioned their partner or significant other in passing, such as in an exchange about how people spent their time during recent days off. In other settings, gay employees would introduce their partners to colleagues once they became comfortable with their fellow employees. Further, all the police and fire departments participating in our study indicated that gay employees brought their partners to events. In many agencies, lesbian employees tended to be the ones who brought their partners to events, and the nature of the events varied as well, ranging from small, less formal events, such as a housewarming party, golf tournament, or fire station–level off-road biking weekend, to a holiday ball or departmentwide awards banquet. At federal agencies, we learned that at the conclusion of Quantico training, it is not uncommon for gay graduates to bring their partners to the reassignment meeting so they can learn together where their new assignment will be. Being open seemed to be more common in Chicago, San Diego, and Philadelphia, which are also the cities that offer benefits to same-sex partners. For example, our interviews with San Diego Fire Department representatives included discussions of both lesbians and gay men bringing their partners to events.

As described in Chapter Eight, some current service members have expressed concern that if DADT were repealed, gay service members might not show proper military bearing and would instead "act gay." When we asked specifically about such behavior, nearly everyone said they saw no evidence to support such a claim. We heard of one case in which a Philadelphia Police Department officer would carry a purse while on duty. He was disciplined for a uniform violation. In fact, information we obtained from several agencies included references to uniform-related regulations that limited the ability of all agency members to look different from their colleagues. For example,

the Oklahoma City Police Department restricts men, regardless of their sexual orientation, from wearing earrings, and the San Diego Fire Department's change in grooming standards to prohibit men from wearing ponytails and earrings was discussed in terms of its effect on heterosexual male firefighters, not gay ones.

Gay members of the Foreign Service have faced unique decisions on selecting posts because some of the posts considered to offer a significant career boost are in places where same-sex sexual orientation is illegal (e.g., parts of the Middle East and Africa). Some gay FSOs reported going back into the closet when going on post, not because of the American staff at the post or even the post's Marine Security Guard but to avoid issues with the staff hired from the local population. Prior to June 2009, same-sex partners were treated as unofficial embassy visitors, and FSOs would regularly find workarounds, such as having their partners stay on tourist visas or, as of 1999, listing them as members of their households, a designation traditionally used for elderly family members and children over 21 who receive limited support from the post. The State Department is now going through its first FSO assignment process since June 2009, after which same-sex partners came officially under the embassy's responsibility. In one case, a partner's visa was turned down by the host government, and then the FSO's visa was revoked. For the State Department, the challenge has largely become how they deal with the restrictions of a foreign government and to what extent they engage politically with the foreign country on these issues. Regardless, we learned that many gay FSOs still go to these countries and make personal sacrifices to do so.

Senior agency leaders have been publicly recognizing the lesbian, gay, bisexual, and transgender affinity groups comprised of their employees. As stated previously, in 2008 FBI agents and staff formed such a group, and the FBI director made an appearance at the group's kickoff event, making a public statement of support. Interviews at a field office confirmed that this event was well known throughout the bureau and sent a message from the FBI director that gay employees were fully accepted in the bureau. The State Department is unique in that it is the only organization we studied with a chief executive who explicitly thanked gay staff for "being open and honest about who you are" (Clinton, 2010). While we find that many gay and lesbian employees are keeping their sexual orientation private, at these federal agencies there are statements from senior leaders indicating that being open in their organization is not an issue.

**Harassment in the Workplace.** Several agencies reported incidents of harassment of gay employees, including graffiti on lockers and derogatory name-calling. The more severe cases, such as locker graffiti, typically occurred in the 1990s, but the use of slurs and other derogatory language is still a concern. A 1998 newspaper article (Black, 1998) described the experiences of several gay members of the Chicago Police Department. An openly gay male officer who worked as a uniformed patrol officer for many years said he had never had problems with other officers but suggested that working with a known gay man was likely "a learning experience" for some of them. A lesbian working in the Chicago Police Department as an investigator reported that she expe-

rienced the occasional derisive remark but felt that things had improved in the department. While managers expressed disapproval of such remarks, they also indicated that they were no different from inexcusable behavior toward other protected classes and occurred much less frequently than comparable incidents related to race or gender. One diversity officer put the problems into perspective: "More blacks than gays will say they are not welcome in [this department]."

Several organizations reported that all incidents of harassment are dealt with severely. Some organizations indicated that they learned the hard way. The Philadelphia Police Department, for example, paid out $2 million in a sexual harassment suit in the late 1980s and since then has taken a hard-line, zero-tolerance stance on harassment. As one Philadelphia police officer noted, penalties for violation of the department's nondiscrimination and harassment policies *start* at a 30-day suspension and escalate upward to dismissal. Some individuals within the agencies we visited have also had to learn the hard way: For example, one firefighter was fired and three others suspended without pay for three months after they danced and chanted around a Native American firefighter. Such actions were reported as necessary to communicate clearly that such harassment has no place in these organizations.

We also explored whether gay employees harassed their heterosexual colleagues or otherwise created a hostile work environment and found little evidence of this problem. We learned of one example of such behavior in 2000. A gay male firefighter who had made sexual advances toward other firefighters would walk into the shower to look at the other men. While interviewees did not report that this incident had affected the performance of the force or caused people to request transfers, they did report that it created problems for the other firefighters. The situation was resolved at the station level when the captain intervened and gave clear instructions to the gay firefighter about appropriate workplace behavior. Although we heard of no other incidents of unprofessional or hostile behavior, we did learn of other incidents that created discomfort for heterosexual coworkers. At one fire department in the 1990s, some firefighters harassed a gay employee. In response, he "pushed back" by making suggestive remarks that made his coworkers uncomfortable. Other cases included discussions about gay marriage or a same-sex couple adopting a child, but the interviewees who told these stories said they did not rise to the level of a hostile work environment, much less a formal complaint.

We also asked about other problems created by gay people serving in their departments, such as cases in which an employee refused to work with someone who was gay. No one in these agencies reported any incident of this kind. In fact, our interviews suggested that there may be more tolerance—even acceptance—of gay men and lesbians than there is of blacks and women in these forces. The Oklahoma City Police Department, for example, used to have an anonymous newsletter. Although some of the officer stories in the newsletter were described as "excessively harsh" on other topics, sexual orientation never came up. In a related vein, an anonymous online forum once existed

in which Philadelphia police officers could post thoughts about the department. A number of officers took this opportunity to post derogatory sentiments about race, but no one complained about gay employees. The site was closed after a black officers' group brought a lawsuit claiming that the website created a hostile work environment. In a third example, the San Diego Fire Department currently has an anonymous complaint hotline for people to call in and lodge complaints of discrimination or harassment. People use it regularly, but no complaints about sexual orientation and harassment have been lodged. These incidents may suggest that the low incidence of harassment related to sexual orientation in these agencies results not just from strict enforcement of workplace protections but from shifts in attitudes. In multiple agencies, officers and firefighters who were given the opportunity to complain anonymously about their gay peers did not do so. It could be that gay officers are not disclosing their sexual orientation or that other officers are simply indifferent to their sexual orientation—or both.

Even in Charlotte and Oklahoma City, which some interviewees described as part of the "Bible Belt"—one interviewee called Oklahoma City the "buckle on the Bible Belt"—no one had heard of an officer leaving the police force because he or she had to work with a known gay officer. Although some interviewees claimed that gay officers tended to keep their off-duty lives private, they also admitted that society as a whole was now more accepting, including the residents of Oklahoma City. "I know in this part of the country it's not easy for people [to accept homosexuality]. I was raised to believe [homosexuality] is wrong, but at work, it's about treating all fairly." Others in Charlotte made similar observations about the increasing tolerance of gay people in their city and society at large.

Transgendered employees, however, had more difficulty finding acceptance among their coworkers. Oklahoma City Police Department leadership received complaints from officers who expressed disgust over its support of a transgendered employee. In response, police executives reminded staff of the potential consequences of harassing her; certain behaviors would lead to investigations, disciplinary measures, and civil liability. They asked, "Would you like to take the stand and testify as to your actions?"

### Effects of Workplace Protections on Institutional and Individual Performance

We found that the presence of gay employees did not undermine unit performance and in some cases was reported to benefit the agencies. We also found that serving without restrictions allowed gay personnel to advance in the organization based on their knowledge and skills, a factor that also contributed to unit performance.

**Institutional Performance.** Performance of core public safety tasks was uniformly believed to be unaffected by the presence of gay employees. Some interviewees said it had never crossed their mind as a problem or source of conflict. Police officers reported that when it comes to arresting criminals and backing up fellow officers, everyone comes together to get the job done. As we heard during our visit to the Philadelphia Police Department, police officers can be "a strange lot": "They can hate your guts but

they will still back you up." To support his point, the interviewee gave an example of "racist" white police officers professionally providing backup for black officers. An officer from the Oklahoma City Police Department expressed a similar sentiment when he noted, "We really just think of ourselves as gray shirts." Police and fire departments are selective in this respect because their officers, firefighters, and paramedics must deal with all elements of society. Applicants are often asked whether they are willing to administer emergency aid to *anyone*.

Firefighters also reported that when it comes to fighting fires, everything else gets put aside to put the fire out. A captain of a fire engine noted that sexual orientation "has nothing to do with fighting fires" and therefore thought there could be no advantages or disadvantages with having gay colleagues. Across the agencies, the view was consistently expressed that what mattered was not a person's personal background or private life but his or her ability to do the job. While most agreed with this sentiment, a few interviewees indicated some advantages and disadvantages to having gay employees serve without restriction in their organizations.

As we have reported, interviewees in both police and fire departments cited limited potential disadvantages of serving with gay personnel. When they mentioned incidents, they related to the concern that minority groups of any kind can disrupt environments in which their coworkers are intolerant. That is, if a gay firefighter were to be assigned to a station or precinct where people were openly hostile, problems that needed management attention could erupt. Supervisors in this situation also would need to exert more effort to monitor behavior proactively, making sure everyone is treated fairly and protecting the department from liability (particularly the liability of superiors for the actions of their subordinates). Interviewees noted that these points are equally true for existing protected classes.

We have already documented our finding that integrating gay employees into the workforce did not undermine unit performance. We should add, however, that several interviewees reported that such a policy actually *improved* the performance of their agencies. The advantage most often cited by police officers and firefighters was that their departments were better situated to meet their obligation as public institutions to represent the community that they serve. Many interviewees believed that they could not credibly argue that they understood the public safety concerns of the distinct communities they serve without having representatives of each constituent group, including the gay community, within their ranks. Some interviewees, particularly at police agencies, thought that this did not just improve perception, but also the actual practice of policing. They cited incidents of being able to dispatch gay officers to the scene of domestic violence calls involving a same-sex couple and felt that they better understood the community, culture, and struggles of being gay. One interviewee indicated that as their department becomes more diverse and employees become more accustomed to working with diverse colleagues, the organization will face far fewer lawsuits alleging discrimination. We also heard from an FBI agent that unit social cohesion improved

as gay personnel felt more comfortable being open about who they are. Interviewees at the Chicago Police Department and at the FBI indicated that allowing open service eliminates a possible security risk; gay employees would be less susceptible to blackmail if there were no risk to coming out to their supervisor.

**Job Performance and Career Advancement.** As we have reported, we found without exception that gay men and lesbians were allowed to serve in any capacity in their organizations and were promoted based on the same criteria as other personnel. As a result, every organization indicated that gay employees were represented to some degree in its leadership and, in some cases, in the upper echelon of its leadership. The San Diego Fire Department's previous fire chief was a lesbian. The Philadelphia Police Department reported that at least one lesbian served in an elite assignment with one of their tactical units. Agencies also indicated that they report to gay men and lesbians in the civilian political leadership in their cities; for example, Houston's mayor is a lesbian, and the San Diego city council has two gay members.

This finding provides evidence that, at least for some personnel, sexual orientation has not been a barrier to career advancement. On a related note, interviewees felt that gay superiors' sexual orientation did not affect their ability to maintain good order and discipline within their units. While not all gay personnel were said to be good leaders, the reasons given were the usual ones and were not related to their sexual orientations.

The FBI noted that it has "numerous" openly gay employees in Senior Executive Service positions. Interviewees also mentioned that gay employees were serving in certain positions that required working closely with the military, both domestically and internationally. These are prized positions within the bureau because they are critical to the bureau's core mission, involve cross-agency collaboration, and improve future promotion opportunities. The FBI does not counsel its agents to closet themselves when they work in these positions. At least in recent years, no one in the military has voiced any concerns about gay FBI employees working with military personnel. And, as noted previously, no gay agent has requested to return from a deployment with the military because of antigay harassment or pressure.

We also heard that a work environment that allowed gay employees to acknowledge their sexual orientation could *improve* their performance on the job, thereby adding more value to the agency in addition to the institutional benefits discussed earlier. A police executive in one department disclosed to us that she was actively closeted for more than a decade of her long-term same-sex relationship. She commented on how concealing her sexual orientation affected her job performance: "I didn't realize it until I came out, but the amount of energy required to remain closeted is intense. If I had redirected my energy towards my job, my job would have benefited." A State Department employee noted that the Department's demonstrated acceptance of gay employees improves morale since gay employees feel like they do not have to hide something about themselves: "You don't have to commit intellectual resources to hiding things [related to your sexual orientation]."

In a related vein, a senior leader at the FBI pointed to negative consequences of such behavior to the career advancement of an exceptional FBI agent, implying that it resulted in a loss to the bureau itself. He recalled a story of a (closeted) lesbian agent whom the FBI had selected for a prestigious post. The new assignment required a transfer to another location, but the agent's partner was also an FBI agent and was apparently not eligible for a post at the new location because same-sex couples at the time were not afforded the same privileges as heterosexual married agents. The agent declined the position, and the FBI did not get their first-choice employee for the post. As previously noted, the FBI now permits (and has approved) in-house transfers of same-sex couples.

**Effects on Recruitment and Retention**

Four agencies reported periodic efforts to recruit gay men and lesbians, such as manning recruiting tables at events sponsored by the gay community, participating in workshops or meetings hosted by gay community organizations, or advertising in media outlets that target the gay community. Other agencies did not see any reason to single this group out in recruiting. However, many agencies had a presence at regional gay and lesbian events, just as they would have for other well-attended local events, such as university-level women's sports events and Women's National Basketball Association games. One department suggested that they might incidentally be reaching a greater concentration of lesbians at such events, although the stated aim was to attract more women. Some of the most active targeting of recruiting in the gay community was reported in Chicago and Philadelphia. In the late 1990s, the Chicago Police Department advertised in gay magazines and conducted special recruiting forums in gay neighborhoods. A few years later, the Chicago Fire Department followed suit, assigning 20 uniformed staff to the task of reaching *all* communities. The team published an article in the city's top gay magazine for the upcoming exam and spent time recruiting in Boystown (a Chicago neighborhood that has attracted many gay residents and establishments that cater to the gay community). The Philadelphia Police Department reported similar activities, along with recruiting at the city's three major events for the gay community and relying on several officers to serve as liaisons with the gay community on a regular basis.

The success of these efforts is unclear because sexual orientation is not tracked on personnel records as race and gender is. Overall, however, the police and fire departments in our study reported an abundance of recruits interested in careers at their agencies. This was especially the case for fire departments, and more so in recent years, given budget cuts and lower recruiting goals.

FBI interviewees indicated that the bureau's primary concern about recruiting is to be competitive with "the Googles and Ciscos" of the world. They noted that being open to recruiting all sectors of the population enables an organization to attract top talent. While the FBI does not have recruiting targets for gay candidates, they do

conduct recruiting efforts at gay pride parades and similar events. FBI interviewees claimed that the bureau is one of the best employers for gay people, despite the fact that DOMA, described in more detail earlier in this chapter and in Chapter Two, hampers their ability to attract certain candidates. If a high-quality gay candidate were to receive multiple job offers, he or she might be persuaded to join an organization that would extend full family benefits to his or her same-sex partner.

Interviewees noted that the State Department invests heavily in its employees, so the loss of human capital through employee turnover is particularly expensive. They expressed concern over losing gay employees to the private sector, where benefits and acceptance of gay employees might be greater. The recent series of recognition of the accomplishments of gay employees from senior State Department leaders is part of an effort to retain these employees and keep morale high so that employees will continue to be willing to serve in difficult places.

Most of the agencies we visited have very low turnover of any kind, so it is exceedingly rare for agencies to lose staff for reasons relating to their sexual orientation. This was particularly true of fire departments, which reported that essentially no one leaves before retirement. According to one senior fire department leader, the job is considered so good—exhilarating work, desirable schedule (two or three 24-hour shifts per week leave plenty of free time), and great benefits—that no one would leave for something as minor as working with gay colleagues or for being gay among heterosexual colleagues. We learned that several departments also have some transgendered employees—the Philadelphia Police Department, the Oklahoma City Police Department, and the FBI—all of whom were retained after the gender reassignment process. The Charlotte Fire Department noted that harassment of gay employees could result in retention issues; one interviewee in the department reported that mistreating coworkers because of their race, gender, or sexual orientation would be "job-ending."

## Summary

A generation of police officers, firefighters, and federal law enforcement agents has served in organizations in which sexual orientation is, at least in policy, a nonissue. For most agencies, including those comprising the federal civilian workforce, there are laws or executive orders that ban discrimination on the basis of sexual orientation. However, even those agencies that are not operating under formal sexual orientation nondiscrimination policies are essentially enforcing workplace protections for gay employees. Since such practices have been in place for 15 or more years, many of the interviewees we spoke with had never known a time at their agency when sexual orientation could affect job-related decisions (e.g., hiring, promotion, assignments, firing).

The primary change now taking place in these agencies is the extension of benefits to same-sex domestic partners. Three of the cities we visited already extended benefits to registered same-sex partners, and Charlotte was scheduled to extend them in 2011.

Federal agencies, acting under guidance from OPM, reported extending to same-sex partners any legally allowable benefits that are available to married opposite-sex partners. For those federal agencies that send employees overseas, even such benefits as relocation, health care, and visa assistance have been made available to same-sex partners.

Having known gay employees is not without complications, particularly when other employees are intolerant. However, many agencies cited far greater problems with issues of race and gender rather than with sexual orientation. The experience of firefighters offers the most relevant insight into issues of shared living quarters. Fire departments universally cited the integration of women as far more challenging than having acknowledged gay employees, and the scale of problems encountered with gay employees was almost always manageable at the lowest levels in the organization.

Even though these agencies have nondiscrimination and nonharassment policies in place, most gay men and lesbians working in the domestic agencies included in our study either chose to keep their sexual orientation to themselves or revealed it to selected coworkers on a case-by-case basis. However, we did find several examples of gay employees in senior leadership positions, such as department chiefs or senior diplomats, who are known publicly to be gay. In such visible positions, we learned, it becomes difficult to conceal one's sexual orientation. Departments reported far more known gay employees than they did in the 1993 study, but the numbers remain very small. We found that lesbians were far more prevalent than gay men, even though women represented a relatively small fraction of the workforce we studied. We largely found that gay employees wished to keep their sexual orientation separate from their work environment or at least to have close control over with whom they shared that information. Although our evidence suggests that gay employees are discreet about their sexual orientation in the workplace, agencies also reported that their enforcement of uniform requirements and workplace codes of conduct left no room for inappropriate attire or appearance.

We found that the presence of gay employees did not undermine unit performance and in some cases was reported to benefit the agencies. Performance of core public safety tasks was uniformly believed to be unaffected by the presence of gay people in the workforce. Numerous interviewees repeated this idea, emphasizing that what mattered most was the ability to get the job done. While some interviewees noted that the workplace can be disrupted when coworkers are intolerant of the presence of minorities, several interviewees noted advantages to having gay employees. They believed that their legitimacy depended in part on their resembling the community they served. The FBI, in particular, noted that creating barriers for gay men and lesbians to join and grow in the organization would diminish the pool of high-quality employees available to the bureau and would affect the organization's performance.

Many agencies indicated that their newest recruits are more accepting of diversity, and this trend has helped the agencies adjust to having more known gay men and lesbians in their ranks. As this trend continues, they noted that the issues that arise will become even fewer and far between.

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# The Experience of Other Domestic Organizations: Corporations and Universities[1]

## Overview

Given our charter to provide information that might be useful to DoD in implementing a policy of nondiscrimination relating to sexual orientation of service members, we decided to depart from the 1993 report and include corporations, universities, and colleges that have implemented such policies. While corporations and universities are very different from the military, they offer another perspective on how large organizations implement policies relating to sexual orientation, the challenges they encounter, and the processes they use to address them. Colleges also attract young adults of the same age as most military recruits who are leaving home for the first time and living in assigned group housing, typically with complete strangers.

## Study Approach

Our goal was to understand how American businesses manage a diverse workforce and how colleges and universities foster a collegial environment for students of all kinds. First, to inform our interview protocols, we drew on the literature described in Chapter Thirteen, including studies on implementing change in large organizations. For corporations, our questions focused on how companies implemented workplace policies regarding sexual orientation, what the policies were, and what impacts they had. We also sought insights from managers on ways to integrate nondiscrimination policies governing sexual orientation in the workplace. At colleges and universities, we covered the same topics and added questions about housing policies, accommodations for privacy, disputes that resulted from communal living, and how these disputes were handled.

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[1]  This chapter was prepared by Cynthia R. Cook, Caroline Baxter, Laura Werber Castaneda, and Jeremiah E. Goulka.

**Selection of Corporations**

There are over 5 million businesses in the United States and about 3,000 firms with more than 1,000 employees (U.S. Census Bureau, 2010). We selected companies that we believed to possess experience with policies and programs governing sexual orientation in the workplace that could be of interest to DoD should DADT be repealed. The companies were not selected to be representative of all companies (or all large companies) in the United States.

More specifically, we selected companies with reputations for implementing "best practices" for diversity, contractors with DoD who often deploy workers overseas in a variety of support roles, and energy or oil companies that deploy workers to remote or austere locations. To identify companies known for their diversity programs, we talked to human resources (HR) professionals and reviewed the relevant literature. Table 12.1 identifies the ten companies in our final sample and the titles of the officials we interviewed.

To prepare for our interviews, we reviewed information from the Employee Benefits Research Institute, in particular a fact sheet on "Domestic Partner Benefits, Facts and Background," and material from the Kaiser Family Foundation on health benefits (Employee Benefits Research Institute, 2009; Kaiser Family Foundation & Health

**Table 12.1**
**Companies and Officials Interviewed**

| Company | Representative(s) |
| --- | --- |
| Chevron | One senior diversity manager |
| Constellation Energy | Executive director of corporate diversity |
| Coca-Cola Enterprises[a] | Vice president of global diversity and chief diversity officer<br>Vice president of human resources, metrics analysis and planning |
| Ernst & Young | Inclusiveness director |
| IBM | Three senior diversity managers |
| Intel | Director of global diversity and inclusion |
| Lockheed Martin | Vice president; diversity, inclusion, and equal opportunity programs |
| Northrop Grumman | Corporate director for diversity and inclusion |
| PepsiCo | Global chief diversity and inclusion officer<br>Senior employment counsel<br>Head of EQUAL affinity group |
| Sodexo | Senior vice president and global chief diversity officer |

NOTES: The findings from interviews with private corporations are the result of RAND analyses and should not be interpreted as opinions regarding the corporations' responsibilities and policies under applicable laws.

[a] A bottler/distributor that is majority owned by the Coca-Cola Company.

Research and Educational Trust, 2009). We also interviewed diversity experts at the Society for Human Resources (SHRM), an association representing HR professionals, and the Human Rights Campaign Foundation (HRC-F), which researches questions regarding sexual orientation in the workplace. HRC-F is part of the Human Rights Campaign, which is an advocacy organization that campaigns for equal rights for lesbian, gay, bisexual, and transgender (LGBT) employees.[2]

**Selection of Colleges and Universities**

In selecting the colleges and universities, we looked for a range of characteristics across several dimensions: geographic region, campus setting (urban, suburban, or rural), single sex or coeducational, and public or private. We also looked for historically black colleges, as well as colleges with a conservative Christian affiliation. We spoke with representatives from eight colleges and universities: four in the East, three in the South and South/Central region, and one in the West. Two are single-sex colleges; the rest are coeducational. One is a historically black college. The four larger colleges have active Reserve Officers' Training Corps programs on campus; the smaller colleges accept scholarships, but students must fulfill the military science requirements at other colleges. Three colleges are rural, three are suburban, and two are urban. One is affiliated with a conservative Christian denomination. All the institutions except one are private. In general, smaller, private colleges were more willing to participate and had fewer requirements for administrative review before agreeing to be a part of the study. As a condition of their participation, the institutions asked that we not identify their schools.

   The individuals we interviewed at these colleges held a variety of management positions in various offices, including the office of the dean of students, the housing office, and the resource centers for LGBT students. We conducted an interview with the Consortium of Higher Education Lesbian Gay Bisexual Transgender Resource Professionals, an advocacy group that encourages colleges and universities to implement policies supportive of gay and lesbian students, to learn their perspective on how to manage questions of sexual orientation on campus. We also reviewed material from Campus Pride, a national group for student leaders and campus groups that works to create a safer on-campus environment for LGBT students (Rankin et al., 2010).

## Key Findings from the Experience of Corporations

Although federal law forbids discrimination on the basis of gender or race, it does not include sexual orientation as a protected class. However, about half the states and some

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[2] This report addresses issues related to gay men, lesbians, and bisexuals but not transgendered individuals. However, the corporate and university programs described here typically focus on all four groups. Consequently, we use the LGBT acronym in this chapter.

cities have banned discrimination on the basis of sexual orientation. Corporations and universities in these states and urban areas are governed by such laws, along with federal law, and organizations outside these regions are governed by federal law. Given these differences in the legal environment, it is not surprising that companies across the country have taken different approaches to managing diversity in the workplace, including sexual orientation. At one end of the spectrum are companies that have no policy—that is, they have no explicit reference to sexual orientation in nondiscrimination protections. At the other end are companies with explicit antidiscrimination policies, resources and programs dedicated to an open and inclusive workforce, and various levels of benefits to same-sex partners. The companies in our study fall on the latter end of this scale and regularly review and update their policies that deal with LGBT employees.

**Policies and Practices**

The companies we spoke with universally include sexual orientation in their diversity statements and harassment policies. In many cases, the company representatives could not remember when the policies were changed to include sexual orientation. A few reported a policy change in the 1990s, and one company reported that its current policy was adopted much earlier, in 1984.

   **Benefits.** The primary policy changes that interviewees recalled pertained to benefits for same-sex partners of employees. Extending benefits to same-sex partners began in most companies in the 1990s or early 2000s. In one case, it started in the mid-1980s. The impetus for expanding benefits came from a number of directions. At two companies, managers reported adding benefits as a way to attract the best employees. At three other companies, benefits were expanded because of the commitment of top management. In one case, a new CEO hired from outside the company had served on numerous boards of companies that were offering such benefits, and he pushed for change when he took his new position. In three other companies, it was internal advocacy from gay employees and their allies that led management to add benefits for these employees. Finally, one company began to change when it got an inquiry from a business customer. As one interviewee put it, "A VP at [a Fortune 20 company] asked them what they were doing around sexual orientation, and they didn't know what to say about it. That was a red flag." Several interviewees implied that these differences reflected the corporate culture of the company: Some companies have a tradition of employee advocacy that is often the catalyst for change; others are "top-down" companies in which change is driven by their leaders.

   The corporate managers who directly addressed the benefits issue claimed that their company goal is benefits parity for same-sex couples. These companies all offer the same suite of health benefits (including medical, dental, and vision), retirement

benefits,[3] leave for bereavement or family emergency relating to same-sex partners, relocation benefits, and support for international deployments (though this benefit is not applicable to all of the companies with whom we talked). To obtain such benefits, same-sex partners must provide some proof of partnership status. For example, some companies require employees to sign domestic partnership affidavits. In one company, partners must provide evidence of at least six months of cohabitation, such as a rental lease, mortgage statement, or joint bank account statement.

Most of our interviewees noted that the tax code creates inequity between heterosexual married couples and same-sex couples. Health benefits provided to same-sex partners (in fact, to all domestic partners) are taxable. In most cases, companies do not make up for this difference, although two companies offer parity by increasing compensation to gay employees in partnerships to pay for the additional taxes.

During some of our conversations, the issue of benefits for opposite-sex domestic partners came up. At those interviews, we were told that the companies do not offer the same benefits to unmarried partners of the opposite sex as they do to same-sex partners because, unlike gay partners, heterosexual partners have the option of federally recognized marriage, which would allow them to receive benefits.

Finally, corporate managers indicated that they plan to continue to review these benefits in the future in the same way they review other benefits. Corporate HR policies evolve over time, and companies must engage in these issues on an ongoing basis.

**Workplace Environment.** All the organizations included in the sample have an assortment of employee affinity groups, often for employees from racial and ethnic minorities or with particular interests, such as Bible study groups. They also have affinity groups for gay and lesbian employees. These were typically viewed as a resource for employees (i.e., a safe space in which to ask questions), but they were also perceived as a resource for the companies themselves. Interviewees mentioned that affinity groups help the company develop recruiting strategies, connect with certain vendors, and develop marketing strategies for the gay community, which, according to one manager we interviewed, is perceived as having more disposable income. These affinity groups reach beyond gay and lesbian employees. At one company, "75 percent of participants in [the employee resources group] are allies. These are people who want to support their associates but also their friends and families."

**Workplace Training.** The companies all required some level of diversity and antiharassment training for all employees (although one company characterized its training as nonmandatory, it also described some training as "foundational," and they encourage all employees to take it). The diversity and antiharassment training offered to employees is general and includes all forms of diversity. Training takes numerous forms, depending on the context of the company and how they provide other diversity

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[3]   One corporation indicated that one of its predecessor companies had a historically defined benefit plan that was not available to same-sex partners but that the plan had long been closed to new entrants.

training to workers and managers. Training on sexual orientation and antiharassment policies does not need to follow a specific model; it can be integrated into the company's standard approach to training and communication. Some companies indicated that initial diversity and antiharassment training occurs at orientation, and refresher training is given on an ongoing basis.[4]

A few companies had developed a separate training model for sexual orientation, typically for managers rather than part of the general training required by all employees. For example, one company offers "lunch and learn" opportunities at which managers can become informed on a range of diversity issues. One of these sessions focused specifically on "why it's important to you as a manager and a supervisor to have sexual orientation nondiscrimination on your team." One company with extensive international operations offers training on international differences in the treatment of gay personnel. But most companies include sexual orientation in more broad-based training on diversity and harassment.

**Housing.** We queried the companies about whether they had any form of shared housing. We provided examples, such as deployments to remote locations in support of the U.S. military or sharing hotel rooms.[5] We were told that companies tried to provide private housing (single rooms) in most cases. One firm, which asks employees to share hotel rooms when they send them to training, reported no cases in which heterosexual employees refused to share a room with a gay colleague. However, that company did mention a gay employee's reluctance to share a room with a straight colleague for fear of being accused of harassment. In that case, the company allowed the employee to choose his own roommate. The company indicated that this was a singular event.

**Leadership Commitment.** Most of the company representatives emphasized the importance of leadership in supporting change and in setting a climate of respect for all employees. One manager stated that successful implementation requires "leadership commitment from the top and articulation by the head of the organization, and that is communicated and reaffirmed at all levels of management to employees." Another suggested that "Any time you get something like this off the ground, you need your top people backing it up and talking about it and giving examples." At yet another firm, a senior leader tried to engage the empathy of people who were opposed to change:

> [He had] two strategies to convince people who were against including sexual orientation in the nondiscrimination policy: If he knew they had a family, he asked, "If your kid were gay, would you want him to feel excluded from this firm?" That usually got through to them. [He also asked] "If this were a company that excluded blacks, would you still support it?"

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[4]   Note that we did not probe the extent and timing of such training in our interviews.

[5]   In one company at which people were sent to locations with relatively austere living conditions, the person we spoke with was not aware of the relevant policy.

At about half the companies, managers volunteered that senior leaders had come out (although they did not provide consistent information as to whether this was linked to any changes in corporate policies). One company representative even posted a voluntary list of gay employees as a resource on its website. At another company, we were told how important it is for gay employees to see gay individuals in leadership positions:

> We do have a smattering of [openly gay] executives, but as to how important is it, it's huge. It's huge to have senior leaders as allies to demonstrate that policies and training actually translates into action, that it's not just words. It's important to be able to say to others that it's OK to be out, that you can succeed. People in the lower positions in the organization will tell you they track the "out-leaders" to see how their careers are progressing, and it's something they do look toward.

One company manager reflected that the company had not done enough in ensuring that leadership was prepared to make the change. As shown in the following remark, this person believed that generating stronger leadership support through more effective outreach to managers at all levels would have helped their change move more quickly:

> We haven't always done a good job of getting our leaders on board. We've just sent out the email/announcement saying X is going on. It's important for people [leaders] to go to a safe place where they can share their concerns and ask questions and not get beaten up for it. They're human too. If we don't give them the opportunity to do that, then the buy-in and the environment [that] you want to set up on a local level is going to take much longer. . . . Sometimes we're just throwing leaders into the deep end, and you need to give them a hand.

### Perceived Effects of Workplace Protections on Individual Behavior

**Effect on Willingness of Gay Employees to Disclose Their Sexual Orientation.** Our interviewees reported that explicit mention of sexual orientation in their diversity statements and harassment policies—and particularly the availability of benefits to same-sex partners—creates an environment in which gay employees can be more open about their sexual orientation. As one interviewee noted, "I would not have come out had the company not put in the nondiscrimination statement, so that's the low bar that people need to see." The term "coming out" in the workplace suggests that this is an outreach event that deliberately informs others of one's sexual orientation. Corporate managers that we talked with, however, did not describe coming out in that way. They reported that being "out" at work is a process that typically begins when employees mention a same-sex partner to someone else in the same circumstances in which other employees would mention a domestic partner or a spouse. This conversation could be sparked by putting a picture on a desk, discussing a partner in normal conversation (e.g., as a response to "What did you do this weekend?"), or bringing a

partner to a company social event. Occasionally, interviewees mentioned instances in which employees came out by more deliberately informing colleagues, but this usually occurred with longtime employees who had joined the firm before broader cultural shifts reduced the perceived need to hide sexual orientation.

**Incidents in the Workplace.** The individuals we interviewed reported very few incidents of problems in the workplace related to sexual orientation.[6] The complaints that did occur were usually related to a religious argument. The typical corporate response to those cases was to reiterate that the company valued diversity. The companies also stressed that their policies focus on expected behavior, not on changing individual beliefs or attitudes. As one corporate officer said, "Managers I've counseled who have religious beliefs against gays, the reality is they have to be a manager to everyone and follow the code of conduct." At two companies, managers reported fielding complaints from heterosexual employees when benefits were extended to same-sex partners. At another company, an employee complained about an affinity group's table at a diversity event to which families were invited. The companies listened to these complaints but did not change their policies. Similarly, when a gay employee complained that he did not want to work with a colleague who opposed gay marriage by supporting California's Proposition 8 in 2008, the HR manager said, "This comes down to the firm's values—even if your own personal beliefs are different. It is about enforcing correct behavior, not changing beliefs." The gay employee was not allowed to transfer, and the company attempted to promote more effective communication between the two, who were able to develop a working relationship.

One company manager described an incident of outright harassment in which two long-tenured employees hazed and harassed a new employee, perceived to be gay, on his first day at work. This took place at an older manufacturing facility at which there had been other examples of a climate unwelcoming to gay employees.[7] The new employee quit that same day, and the offending employees were fired within a week, with extensive publicity. The manager described the incident as a "public hanging" aimed at sending a strong message about expected behavior. He reported that there were no further incidents at the company.

The representative from one company noted that even when working hard to create an environment in which such blatant forms of intolerance are understood to be unacceptable, it may be difficult to get employees to view less extreme forms of harassment, such as jokes targeting gay employees, as inappropriate forms of behavior in the workplace.

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[6]   The companies did not provide information on total numbers of cases of harassment or the percentage relating to sexual orientation, but all the managers we spoke with indicated that any incidents would have been reported to them.

[7]   For instance, the representative for that company reported that one of her direct reports, who was gay and had formerly worked in that facility, had actually gone back into the closet because of concerns about harassment. However, at the time of the interview she felt that even at that location, the climate had improved over time.

At all the companies we studied, complaints are reported through existing mechanisms for allegations of harassment or discrimination—none have a hotline or special department for complaints specific to sexual orientation. Most companies offer multiple means of reporting incidents, including at least one channel that does not go through the employee's direct supervisory chain, along with "no-retaliation" policies. One company described its alternative dispute resolution mechanisms to help employees work out difficulties.

All the companies firmly support their policies when employees complain. As one interviewee told us, "It's about setting the tone and the expectation—because this is not your house, this is a job. When you come here there is an expectation of behavior, and it starts with respect." Interviews revealed that whatever objections were expressed when policies changed, they were typically very minor, were even less frequent than expected, and diminished over time.

**Monitoring of Diversity Climate.** While some companies are reactive about monitoring their diversity climate (i.e., they respond to complaints), others take a more deliberate, proactive approach. One company, for example, conducts a survey of its global workforce every two years and includes questions on diversity climate and tolerance:

> This allows us to look at that information, target small issues, and proactively address them to nip them in the bud. We've been doing this since 2006, and it has added a really valuable view because it provides a general data-driven analysis of how [self-identified] LGBT employees feel about working at [the company]. Doesn't go into any specific issues but give[s] a clear look at how engaged they are and where the issues might be. I think that's been a huge help to see whether policies are working.

One company in our sample maintains a database that includes all internal and external complaints, whether substantiated or not, including harassment about gender, race, ethnicity, age, or sexual orientation. Managers use the database to measure the company's progress in cultivating an inclusive work environment that makes all employees feel welcome and engaged with their colleagues. Based on those data, the company can report that it has improved from year to year, although the results vary by business unit.[8]

### Perceived Effects of Workplace Protections on Business Performance

When asked about the effects of policies related to sexual orientation on performance, the response was universally a positive one. In response to our questions, none of the managers in our study reported that openly gay employees or openly gay managers

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8    Companies usually have multiple channels for reporting incidents, not just channels that go through employees' direct line managers, thus reducing the ability of those managers to suppress reporting of incidents and artificially make the climate look better than it is.

have had any negative effect on performance at the individual, team, or corporate level. Instead, managers talked of the benefits to the company that result from these policies, including improved recruiting and retention and enhanced productivity from increased employee engagement. Some managers reported a "business case for diversity" in competing for talented workers.

Interviewees also expressed the view that employees who are open about being gay can be more engaged in their work. According to one manager, "Being closeted affects people's productivity, how they build relationships, how they work together with other people, how much they love their job, etc." This view was reiterated in other interviews. One corporate manager said, "The biggest downside to having an environment that's discriminatory is that it damages productivity. Employees and prospective employees will join us because of our lack of discrimination. They can focus on the job. They don't think about it, they don't feel uncomfortable, they can be themselves, just like everyone else." Another interviewee put it this way: "Employees perform their best work when they can bring their full selves to work and they're fully supported. If you have employees who are 80-percent productive, you start counting that 20-percent loss, and over time you wonder what could happen if you can get 80 percent to 90 percent. That's a big dollar figure."

### Perceived Effects on Recruiting, Retention, and Related Issues

We asked whether company policies have had any effects—either positive or negative—on recruiting and retention. Most of the managers thought that their diversity policies helped them in recruiting, although one mentioned that since they do not track applicants by sexual orientation, there is no way to verify that their policies on sexual orientation impact that subset of the applicant pool. No company indicated that they felt that their policies regarding sexual orientation have made it more difficult to recruit new employees.

More than one firm in the sample engages in deliberate outreach to gay men and lesbians—for example, by engaging their employee networks or by recruiting at pride parades. One organization mentioned sponsoring gay pride parades in large cities. Another mentioned that it has been a sponsor of the "Out and Equal" Workplace Advocates annual conference.

As mentioned earlier, many managers felt that creating an inclusive work environment and benefits package for gay employees gives them a competitive edge in the pursuit of talent. In cultivating a reputation for diversity, corporations are attentive to external indicators rating their diversity policies. For sexual orientation, they referred to HRC-F's Corporate Equality Index (Human Rights Campaign Foundation, 2009). All the companies we spoke with received the top rating in the 2010 index.

Among the firms in our sample that rely more heavily on knowledge workers, accessing human capital is a significant concern, and being an all-inclusive employer is

a recruitment strategy. Some managers expressed concern about changing demographics and the ability to recruit most effectively on college campuses.

In addition, companies thought that their diversity policies help retain employees. Interviewees from one company shared with us the results of an employee survey conducted by its LGBT resource group. Specifically, survey responses suggested that the company's policies and climate related to sexual orientation helped in retention—and recruiting: 75 percent of respondents indicated that the policies mattered in keeping them at the company, and 90 percent asserted that they would not have accepted the job without those policies.

None of the companies could cite any cases in which employees had indicated in exit interviews or through other means that they were leaving the firm specifically because of policies supportive of individuals who are gay (e.g., provision of benefits, affinity groups, sponsorship of pride events, and so forth). Nor did companies report instances in which heterosexual employees refused to work with gay colleagues, although a few admitted that it would be unlikely that a heterosexual employee would offer that as a reason.

**Suggestions for Implementation**

We closed every interview by seeking suggestions from company experiences that could be of value to other businesses that are trying to implement policies inclusive of sexual orientation as a form of diversity. Their responses focused on how to integrate openly gay employees into the workforce. Some messages were consistent, such as the importance of leadership, communication, and training. The following remarks illustrate the types of comments made about the importance of leadership:

> When we really started driving a more aggressive [diversity] strategy, around race and gender about six years ago, our policy as we relayed it to senior leaders was "Do not blink." If we're going to do this, we're going to do this. That was very helpful. We told our leaders they couldn't blink in the face of pushback, and your underlings might cause you to question the policy. The environment will try and stop it, and you have got to have leadership that has the will to carry it through. And if you don't, at the first stage people think you're a wimp, people will get louder.

With respect to communication, one firm's advice was to stick to the message and remind everyone of the values of diversity, including the need for good talent. Other pertinent comments included the following:

> Communicate, communicate, communicate. Get people involved. Tell stories about how this is affecting people—otherwise [employees] saw it as "special rights."

> You just have to do it—and you have to be prepared to hear comments and things like that and you have to be clear what type of an environment you want to have.

And if you truly want to have an inclusive environment that people want to be a part of, that includes everybody. I think you just have to do it and you have to be willing to stick to the talking points of "This is the type of environment we want to have, and it is important that we are able to reach out to and have the best and the brightest from across all branches of diversity, including those who are openly gay and lesbian." Good talent is mission critical.

A few firms focused entirely on how leadership supports communication. One company identified two key factors: First, leadership commitment starts from the top, is articulated by the head of the organization, and is communicated and affirmed across all levels of management to employees; second, the message is reaffirmed on a periodic basis.

Half the companies we spoke with talked about the values of equality and diversity and how important it is to communicate those as part of the reason for change. Some also mentioned that the business case for diversity in terms of recruiting, performance, and employee engagement was an important part of the message. Most of the comments we heard suggested that a swift change would convey that the change is important and irreversible. One company thought that advance education would be useful, with "a strong and concerted education component to cover a large percentage of the population."

One firm offered a list of factors to increase the likelihood of successful implementation, which included several mentioned by other companies: management support, continuous reinforcement of policies and behaviors, a focus on company values, and creation and reinforcement of a strong business case for diversity (e.g., corporate reputation, recruiting, retention, employee resilience).

Finally, words of caution were also extended about what could happen if other companies are *not* inclusive:

Every company needs to understand the downside of *not* doing this: You're not capitalizing on the hearts and minds of your employees. It's too competitive out there to discriminate. You'll spend time dealing with the problems if you don't create an environment in which all can be comfortable.

## Key Findings from the Experience of Colleges and Universities

Our interviews with college administrators were intended to improve understanding of how organizations address sexual orientation in their housing policies and deal with young people who are assigned roommates very different from themselves—who in some cases may make them uncomfortable. In this section, we describe the policies and practices of these institutions, incidents of harassment and the colleges' procedures for addressing them, and the effects of diversity policies on the institutions. We did not

include questions on several other policy areas, including LGBT issues in the academic curriculum and counseling and health care services for LGBT students.[9] However, we note that these do affect the campus climate.

Most of the interviewees started the discussion by commenting on the broader social changes that have created a sharp contrast between their incoming classes and the students who entered college just ten years ago. According to one interviewee, a decade ago no more than five percent of an incoming class would have said they knew anyone who was gay; now 98 to 100 percent of incoming students know people who are gay. Some new students come from high schools that have gay-straight alliance student organizations, many of them watch TV shows that feature gay characters, and their friends are more likely to be open about their sexual orientation than they have ever been. These differences in the experiences and attitudes of incoming students have a major effect on on-campus culture. However, while colleges and universities have made strides toward creating a welcoming environment overall, research shows that harassment is still common (Rankin et al., 2010).

We note that the research in this section was aimed at uncovering a broad and contrasting range of experience in how colleges and universities manage a diverse student body, rather than focusing on how schools that are known to be supportive of gay and lesbian students have implemented their policies.

**Policies and Practices**

Some of the colleges and universities we studied explicitly include sexual orientation in their diversity policies, which apply to faculty and staff as well as students, and others do not. We refer to the former colleges as liberal and the latter as conservative. One of the conservative colleges included sexual orientation in an antiharassment statement signed yearly by the president of the school, although, according to one official at that college, it was a limited and somewhat tenuous form of protection. The other two conservative colleges did not include sexual orientation in any diversity or nondiscrimination policy. (All the conservative colleges were located in states without laws that prohibit discrimination based on sexual orientation.) Despite this difference, however, all colleges recognized the existence of gay students on campus and wanted them to feel a part of the campus community.

None of the schools in our sample ban gay students or require them to hide their sexual orientation in order to stay enrolled. Nor are students asked to leave if their sexual orientation becomes known. At one conservative college, same-sex sexual acts (along with premarital sexual intercourse by heterosexual students) are against the code of behavior. An official at this college stated that the college revisited its policy at one point to change the wording to "forbid 'homosexual acts,' not 'homosexuals,' so that it

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[9] We also did not include questions regarding policies that affect school employees, including faculty and staff, since employment practices are covered in the previous section of this chapter.

wasn't about the person, it was about the acts." Our contact told a story of a religious parent who was struggling to come to terms with the sexual orientation of a gay child and, knowing the conservative nature of the school that the child had chosen to attend, wanted to make sure the college environment would be protective. This was interpreted as reflecting a cultural shift regarding issues of sexual orientation. Our interviewee also mentioned that it is ironic that campus rules forbidding opposite-sex couples from spending the night together in on-campus housing do not apply to same-sex couples.

**Campus Environment.** Seven of the eight schools, including two of the more conservative schools, have affinity groups for gay students on campus. These were widely viewed as a useful resource for gay students and for "allies"—straight students or others in the community who want to learn about how they can support gay students.

**Diversity Training.** Some colleges do not require diversity training; others include it in various forms. Some describe diversity policies in student handbooks but offer no formal training; others offer optional training on general diversity issues or training for allies. Several of the colleges require diversity or antiharassment training for all incoming students. These colleges do not provide training specific to sexual orientation but sometimes include it as a scenario or example of diversity. Such training might take the form of group discussions with resident advisors (RAs—upper-class students who live in the dormitories and help new students adjust to life away from home, as well as deal with problems) at the beginning of the year. One school offers general sessions in which students can learn about each other. In one case, they are invited to write down personal things about themselves without attribution. These are read aloud by other people in the group and then discussed by the group. As an official from that college explained, "It allows the conversation to occur in a broader context, like, 'I'm afraid I'm the only person who's gay or lesbian' or 'I'm a first-generation college student,' and the conversation avoids focusing on one identified group or one person. It gets really good conversation going."

All the schools require some form of diversity training for RAs and for professional staff members who also either live in the dormitories or serve as resources. This training can be quite extensive. In some cases, RAs and other staff come to campus early for programs that might last a week or two. Modules may include alcohol abuse and sexual assault along with diversity in general and, in some cases, sexual orientation in particular. There is a focus on teaching RAs skills they can use to mediate student problems and, more importantly, to help students develop those skills themselves. At one campus, the main training is provided for student RAs because, as one interviewee told us:

> [M]ost issues of sexual orientation rear their heads in residential halls. Annual RA training includes issues of international differences, regions, socioeconomic status—sexual orientation is included in this training as a topic of discussion. This includes sensitivity training on managing differences. . . . There is an "open doors" training program to cover assimilation, issues of diversity. These are mock simula-

tions—the RAs being trained knock on a door and don't know what situation they will be confronted with.

**Housing.** The college administrators we interviewed all acknowledged that they tried to provide education that includes learning to live with people whose backgrounds or personal characteristics are different from the students' own.

All the schools have housing policies regarding dorm behavior (e.g., no smoking, limits on kitchen appliances), but no housing policies mentioned sexual orientation or distinguished among students based on sexual orientation. Sexual orientation is not a criterion used to assign students to shared housing. Instead, students typically are assigned to live together somewhat randomly, with some attention to such lifestyle choices as sleep habits and preferred noise level. In the coed colleges, men and women in dorms have separate rooms but are typically not separated by floors, and the more liberal schools reported that many bathrooms are coed. No college provides separate bathrooms or shower facilities for gay students, nor do they have policies guiding use of such facilities by gay students.

All the colleges reported having double rooms, especially for first-year students. Freshmen are typically assigned roommates on a random basis, although they can ask to live with someone they know (if they both make the request). One college approved a gender-neutral housing policy in 2009, and other liberal colleges are exploring the possibility for the future. Such policies allow men and women to live in the same suite or the same room. (Gender-neutral polices are for juniors and seniors who know each other, not for incoming students receiving random room assignments.) One college official described the issue this way:

> Right now our housing is same-sex by room. But I bet a year from now that policy will be gone. And that's partly because of this issue of sexual orientation—gay students are saying, "Why can't we live with our straight friends?" We don't really have a good answer to that question. . . . Why are we regulating issues of gender around housing? That's going to be the outcome of the next round of discussions on this issue.

The same college has also considered whether intimate partners should be allowed to share a room, but they have found that most students are not interested in such an arrangement. According to one interviewee,

> A lot of these relationships are so transient. Picking roommates and picking housing is a complex process for students. They are not particularly interested in choosing sexual partners to be their roommates. We find this from other schools, and that's what our students are telling us.

Interviewees claimed that most disputes among roommates that are serious enough to reach supervisors are about sleeping habits, noise, and other lifestyle issues,

rather than sexual orientation. When a housing dispute arises over sexual orientation, colleges have different approaches to resolving it. The more liberal colleges all indicated that they would not automatically separate students if a heterosexual student objected to being assigned to a room with a gay roommate, or vice versa. Instead, they require discussion and a period of living together. If the students cannot get along after a trial period, they can apply to be assigned to a new room, following the same procedures that are used for any other issue between two roommates. An official at one college said, "I don't think [a room change] would be approved, but we'd certainly have people talk about it. There would be an initial sense of outrage. Our deans are very sensitive to diversity issues." An administrator at another college said that refusal to live with someone who is gay would be viewed in the same light as refusing to live with someone of a different race or religion. At another college, we heard of a current case concerning housing and sexual orientation:

> One example that's going on now with an incoming class: A student athlete received his assignment and looked up his new roommate on Facebook. He found out the roommate was gay. The athlete contacted his coach and said he wouldn't be able to live with his assigned roommate because of that. His family was then referred to a senior administrator to talk about tolerance and how the fact that the roommate is gay doesn't define who they are. So the athlete and the gay student are going to try to live together, and if it doesn't work out that's OK, but they have to try.

Officials at the conservative schools, by contrast, reported that they are more likely to allow students to change rooms if there is a complaint about sexual orientation that cannot be resolved. In one instance, this was deemed permissible because the administrators believed that the attitudes of the straight roommate (and, likely, that student's parents) could impair the experience of the gay roommate. But these schools also tried to encourage the students to live together first. It is typical for the complaining student to want to force the other student to be moved, but it is the student with the complaint who is required to make the move.

At all colleges, officials reported that it is often the parents who request the room change, not the student. In these cases, campus officials make sure that the student also has a concern before they take any action. New methods of social networking, particularly Facebook, allow prospective roommates (and their parents) to learn about each other before they meet, and this means that students often know or have inferred each others' sexual orientations before arriving on campus.

**Harassment on Campus and Institutional Response**

Officials at all colleges, both liberal and conservative, reported incidents of harassment of gay and lesbian students. The most common form of harassment that was discussed is a slur written anonymously on a whiteboard on the door of someone's dormitory room or other forms of graffiti. This typically generates a high level of concern and,

often, group discussions led by RAs or professional staff members. The liberal colleges suggested that any incidents of this kind generate a sense of community outrage and support for the victim, and they are always reported to the highest levels of the university. At one college, the interviewee said, "[I]f a person is found to have engaged in homophobic language or harassment, it's highly likely they would be suspended or have official college discipline." However, there was some concern that a low level of complaints may reflect fear on the part of students who do not want to reveal their sexual orientation and therefore may decide to not report such incidents.

Another college official described a physical attack that had occurred about a decade ago. It was perpetrated by a heterosexual student against a student perceived as being gay, and the assault resulted in a criminal prosecution. In that case, the school chartered a group of experts to examine the incident and make recommendations for improving the overall climate on campus and preventing similar incidents in the future. No other incidents cited by anyone we interviewed approached this level of severity.

Our interviewees did not mention other forms of harassment that may take place on a day-to-day basis. In particular, casual slurs (i.e., referring to something as "gay" as an insult) may contribute to a negative environment, but most are likely to go unreported. Furthermore, while not every administrator indicated that the climate at his or her school was perfectly supportive of gay students, most of them focused on how to improve the climate or how it had improved over the last few years, rather than on residual problems. A recent survey (Rankin et al., 2010, p. 2) finds that the college experiences of most LGBT students do differ from their straight peers; gay students rated their campus environment less positively than straight students at the same schools.

An official at one of the conservative schools indicated that she would view such incidents as offensive graffiti in dorm rooms as hate crimes—just as would be done if someone wrote a racial slur—and they would call in the police (although, apparently, this had never happened, which raises the question of whether incidents were reported or were considered serious enough by dormitory advisors to report to higher-level administrators).

Reporting and tracking hate crimes on campus is required by federal law. The Student Right-to-Know and Campus Security Act of 1990 (more commonly known as the Campus Security Act) requires colleges and universities that participate in federal financial aid programs to report information regarding crime on and near their respective campuses (20 U.S.C. 1092[f]). The act effectively extended to colleges and universities the data collection requirement that has applied to local, state, and federal law enforcement agencies in various forms since the creation of the Uniform Crime Reports program in 1930, albeit only for incidences of very serious crimes—murder, rape, robbery, aggravated assault, burglary, and motor vehicle theft—and arrests for liquor law or drug abuse violations or weapons possession. The act required these crime statistics to be presented in accordance with the Hate Crime Statistics Act, a bill also passed in 1990 that requires the attorney general to collect statistics from law enforce-

ment agencies around the country "about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity" (Public Law 101-275, 1990, section [b][1]). Sexual orientation was defined as "consensual homosexuality or hetero-sexuality" (Public Law 101-275, 1990, section [b][3]). The attorney general directed the FBI to include these hate crimes as part of its Uniform Crime Reports program.[10]

Another form of resistance to LGBT students comes from an external constituent group: At two of the conservative colleges, alumni have objected to policies that they thought were too friendly toward gay students. These colleges resisted this pressure. One characterized this resistance as wanting to avoid a "witch hunt" against gay students. One interviewee admitted that relations with alumni groups must be managed very carefully because alumni are important financial supporters of the college.

## Perceived Effects of Diversity on Institutional Outcomes

As we have already mentioned, all the college administrators who we interviewed emphasized that their diversity policies (which did not always include sexual orientation) are founded on the value of equity and fairness and the belief that diversity of the student body contributes to both the education and life experience of all students at the college. In addition, many of those we interviewed believe that their policies contribute to the academic performance of gay students. Officials at one conservative school indicated that the addition of an on-campus center for gay students within the last several years has proved to be a valuable resource for that community. The director of that center made this comment:

> With the change in climate, the general trend is that students are doing better. They no longer feel the stress of having to maintain a lie. And when you feel safe, you can then reach your best academic or personal potential, because you don't have to worry about expending energy maintaining performance. . . . Our GLBT [gay, lesbian, bisexual, and transgender] students are doing better in all aspects of their lives.

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[10] The act has since been renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, in honor of the Lehigh University student who was raped and murdered in her dormitory room in 1986 and whose parents pushed for the legislation. In response to concerns that the act's limitation to very serious crime prevented it from capturing the most common types of hate crime (Hoffman, Schuh, and Fenske, 1998, p. 128), the act has been amended to require colleges and universities to report incidences of serious crime, as well as "of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim . . . " (20 U.S.C. 1092[f][1][F][ii]). This is to include crimes reported to campus security or to local law enforcement agencies, and the institution is required to organize its reports "according to category of prejudice" (20 U.S.C. 1092[f][1][F][ii]). The Clery Act is enforced by the U.S. Department of Education, which monitors compliance and may impose civil penalties up to $25,000 for each substantial misrepresentation of the number, location, or nature of the crimes required to be reported by the act (20 U.S.C. 1092[f][13] and 20 U.S.C. 1094[c][3][B]).

Administrators at liberal schools felt that their diversity policies also improve their ability to recruit and retain the best students.

**Suggestions for Implementation**

As with the company interviews, we closed the college interviews by asking what suggestions they would offer to other colleges and universities that are trying to implement policies that include sexual orientation as a form of diversity. Several people mentioned the need for institutional commitment, including providing centers for LGBT students and other support groups, providing effective training, and supporting gay faculty and staff. Other responses included "Just do it and don't look back." However, the fact that changing policies is not enough was also emphasized—institutions need to enforce the policies and recognize that sexual orientation is invisible. Institutions may also need to build programs to protect these students and help them feel safe. Two of the more conservative colleges discussed the need to avoid compromising the institution's values but indicated that it is important to send a message of respect for all students.

## Summary

We chose companies with a reputation for having well-developed diversity programs. These companies have had workplace protections for sexual orientation in place for many years, but benefits for same-sex partners have evolved over time. All the companies in the study now offer the same benefits to same-sex partners as they offer to heterosexual married couples, including health benefits, retirement benefits, family leave, and relocation benefits.

All the companies in our study require some level of diversity and antiharassment training for all employees, although in one case it was described as nonmandatory but strongly encouraged. This training is general and covers all types of diversity, with sexual orientation included as examples of discrimination rather than as a separate training event. A few companies offer a specific module on sexual orientation for managers. Some companies also take a proactive approach to monitoring their diversity climate. In one case, a company conducts a broad survey of its employees every two years and includes some questions on the climate and tolerance level on different diversity issues.

In contrast to our criteria for companies, we selected a cross section of colleges and universities with different characteristics. Nevertheless, their policies and practices relating to gay and lesbian students were largely similar. All colleges assign students to live together randomly without regard to their sexual orientation (incoming students are not queried about their sexual orientation on housing forms), and, according to our interviews, complaints are relatively rare. When students complain about their roommates, it is more often about their personal habits, such as when they went to bed or

how loudly they played their music. When complaints are made about being assigned a roommate who is gay, they often come from parents, rather than from the students themselves. Colleges typically respond to such complaints by encouraging discussion and giving the roommates time to adjust to each other. If the problems persist, they are resolved the way any dispute about other living habits is resolved: The complaining student is eventually moved elsewhere.

All the colleges require some training for RAs and professional staff who live in the dormitories or counsel students. Several of the colleges require diversity or antiharassment training, which sometimes includes sexual orientation, for all incoming students.

Incidents of harassment do happen—the ones that most often come to the attention of school administrators take the form of offensive graffiti on a whiteboard or dorm room door—although, according to our interviews, these are relatively rare. There is some real concern, however, that there are relatively few complaints of harassment because students who do not want to reveal their sexual orientation may decide not to report such incidents. Furthermore, studies of college students reveal that gay students have a less positive picture of the typical campus climate. That said, the inclusion of sexual orientation in diversity policies; the existence of on-campus centers for LGBT students; diversity training; and other forms of institutional support offer policy options for schools that want to improve the campus experience of their gay students.

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# Implementation[1]

## Overview

In 1993 RAND examined how a policy that would allow gay service members to serve openly in the military could be effectively implemented, considering institutional culture and lessons drawn from the literature about managing change in large organizations. Today, 17 years later, we found that lessons in the recent literature are similar to those highlighted in the 1993 study. Rather than produce a strict update of the previous work, we summarize it to remind the reader of those lessons and then offer a distinct but related approach on how to implement change. We provide a three-part framework for managing change: planning for change, implementing the change, and sustaining the change over time. For each of these phases, we draw on our understanding of the cultural context of the military and synthesize the guidelines for managing change in the sources we reviewed.

Several key lessons emerge that could help DoD plan the implementation of new policies in case of a repeal of the DADT policy. First, prominent leaders at all levels of the organization can facilitate the change by articulating clear and consistent reasons for the change that link to the mission of the organization. Communication of the change should convey the importance of behavioral compliance and sanctions for noncompliance. Training within the context of broader diversity and harassment training offers an opportunity to reinforce that message and signal the support of leaders. The enforcement of sanctions for violating the policy—e.g., by harassing service members—needs to be swift, direct, and consistently applied. Finally, the effectiveness of the policy change can be monitored by using existing techniques to collect relevant data on incidents of harassment that can be used to set benchmarks and measure changes in the number of reported cases of discrimination.

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[1]  This chapter was prepared by Cynthia R. Cook, Laura Werber Casteneda, and Abigail Haddad.

## Study Approach

The literature on organizational change is large and interdisciplinary, far exceeding the descriptive space available in a single chapter. Furthermore, some of the most important lessons from the literature reported in the 1993 report remain the same today. Therefore, we decided not to conduct a strict update of the body of literature cited in that report; rather, we draw selectively on the literature to develop a new framework for implementing change. For this purpose, we focused our investigation on studies of policy implementation in large organizations, including the military, since 1993. But we included several influential studies published in the 1940s and 1950s and draw upon other older work where it offers particularly useful insights.

Burke (2002) offers a useful taxonomy for the three kinds of literature that examine implementing change in large organizations, including organizational theory literature, trade literature, and "story" books that provide lessons in the form of parables. We alter this taxonomy slightly to divide work on change into academic studies, professional management literature, and popular literature. Academic studies, published in peer-reviewed journals, consist largely of inquiries into the factors leading to change within organizations rather than practical advice about how to implement change, although some articles include such advice. Business management publications offer more practical and prescriptive advice on how to manage change, often integrating theory with extensive research into practices in the corporate world. Popular work, aimed at managers, often provides advice based on a limited number of case studies with a nonscientific approach to sample selection or even a storytelling approach to change. We focused our review on the academic and business management literature, with particular emphasis on seminal studies in business management that describe how to plan for and implement change successfully. While this work may be rigorous, it tends to be driven by expert judgment and case studies rather than by empirical analysis based on a large sample of organizations.

We also reviewed a smaller body of work that deals with organizational change in the public sector and within the military, including studies that focus on the integration of women, blacks, and gay personnel. We note that organizational change in the military is rarely addressed in formal organizational theory (Segal, 2010), although there is ample research on military organizations that bears on the question of change. We also reviewed relevant publications from federal agencies, such as the U.S. Government Accountability Office (GAO).

## Findings on Implementation Context

Organizational change as an area of study began by trying to understand why some organizations resist change and others adapt to change quite readily and success-

fully. Many studies focused on the introduction of technological or structural change (e.g., Langbein and Kerwin, 1985; O'Toole, 1989; Walsh, 1991). Others addressed cultural change, which is more difficult to accomplish because it may touch on deeply held attitudes about race, religion, or sexuality. In all these cases, the authors point out that it is important to base the implementation of any new policy on an understanding of the organization's culture, what one expert describes as "its rules and policies, customs and norms, ceremonies and events, and rewards and recognition" (Armenakis and Bedeian, 1999; Galpin, 1996). The 1993 RAND report, which recognized this principle, described military culture as

> an organization that is based on a formal, hierarchical, and rule-driven structure, which values efficiency, predictability, and stability in operations. This structure is supported and reinforced by organizational and participant cultures that are conservative, rooted in history and tradition, based on group loyalty and conformity, and oriented toward obedience to superiors. (RAND, 1993)

For these reasons, the report argued, the military is inherently averse to change, particularly change dictated from outside the organization (Builder, 1989).

Despite the cultural shifts in society and the military since 1993, the military can be slow to change on social issues, as illustrated by ongoing difficulties integrating women into the force. Studies have examined resistance to women in the services by documenting forms of gender harassment (Miller, 1997); others argue that gender integration has been harder than racial integration (Barnes, 2007). But change does happen. In a cross-national comparison, Holden and Davis (2004) find that where longitudinal studies have been done (including the United States), sexual harassment has declined over time, although significant levels of sexual harassment persist. According to Titunik (2008), the military's camaraderie, discipline, and ethic of service have all helped produce "a complex institutional culture congenial to women in significant respects" (p. 137). In spite of this, acceptance of women in the military is not universal, and there are ongoing disagreements regarding what roles should be open to women. However, women serving in expanded roles have not fulfilled the negative expectations of opponents. As this report also documents, police and fire departments, institutions that are also resistant to change (Mankkinen, 2002; Prokos and Padavic, 2002), have successfully implemented policies allowing known gay men and lesbians to serve. And foreign militaries reported that integrating gay service members was much easier than integrating women (see Chapter Ten). Clearly, institutional culture in these cases does not present impenetrable barriers to social change—and in some respects may help implement change.

As studies on military culture have shown, the same characteristics that make the military conservative and resistant to change can also be used to as tools of change. The strict hierarchy of the military, for example, is enforced by its leaders at all levels of the organization, whose authority rests in their rank (Huntington, 1957), and these

same leaders can facilitate cultural change. As a Center for Strategic and International Studies (CSIS) report describes, "[O]fficers turn values into action, bring coherence out of confusion, set the example, and articulate the viewpoint of the military institution" (Dorn et al., 2000). Change readiness among military enlisted, officers, and civilians is closely related to perceptions of leadership buy-in (Lyons, Swindler, and Offner, 2009).

As a consequence of its emphasis on hierarchy and obedience to leaders, the military suppresses individual expression and enforces conformity with the group—characteristics that also support the implementation of change ("Lessons in Transcendence: Forced Associations and the Military," 2004). Suppression of individualism starts in boot camp, with evaluation at the group level and a lack of privacy in living quarters. Military work environments require a good deal of teamwork and mutual responsibility (Keijzer, 1978; "Lessons in Transcendence: Forced Associations and the Military," 2004). The same regulations govern many aspects of service members' lives, along with the same ceremonies and codes of conduct.

Also, the strict hierarchy enforces equality among service members of the same rank, which, for most service members, is based on length of service ("Lessons in Transcendence: Forced Associations and the Military," 2004; Office of the Under Secretary of Defense, 2002). Service members of the same rank wear the same uniform and follow the same code of discipline ("Lessons in Transcendence: Forced Associations and the Military," 2004; Moskos and Butler, 1996). Rank also confers respect, and service members who are of majority groups serve under minority groups—in fact, whites are more likely to have a black supervisor in the military than anywhere else in U.S. society (Moskos and Butler, 1996).

In brief, any policy change in the military should be planned for and implemented with an understanding of the aspects of military culture and structure that facilitate change, as well as those that create barriers to change.

## Findings from the Literature on Change in Large Organizations

In this section, we describe what we learned from the literature about how to manage change in large organizations. We organize our findings around several questions:

- What are the types of organizational change?
- What are the phases of change?
- How can change be successfully managed?

### Types of Change

Burke (2002) identifies three useful dimensions that help clarify distinct types of organizational change: planned or unplanned change, revolutionary or evolutionary change, and episodic/discontinuous or continuous change. Unplanned change would

include a sudden change in leadership or change in the external environment, such as the availability of new technology, so the organization must react to something unexpected. Planned change, on the other hand, is change that the organization chooses to enact and prepare for, such as a policy requiring military leaders to retire after they have spent a certain amount of time at a particular rank so that succession can be anticipated and planned. The repeal of DADT is clearly a policy change for which DoD can anticipate and plan.

Revolutionary change, according to Burke, is change to the "deep structure" of an organization, such as its mission or strategy, or a change that requires substantial resources to implement. An example of such a change would be the shift in the Army Reserve (along with the other reserve components) from a reserve force to an operational force (Tucker, 2008). As a strategic reserve, soldiers serve for one weekend a month and two weeks a year; as an operational force, soldiers regularly deploy domestically and overseas. The term *revolutionary* is used in analyses specific to the military; Krepinevich (2002), for example, describes "Military-Technical Revolutions" as having four elements: technological change, military systems evolution, operational innovation, and organizational adaptation.

By contrast, the vast majority of organizational changes are evolutionary, including incremental changes or improvements, steps to fix a problem, and change as part of a larger system (Burke, 2002). An example is the addition of a joint duty promotion requirement for general and flag officers: The development of general officers has long been a carefully managed process, and this new policy simply changes a requirement. A more revolutionary change, on the other hand, would be to allow individuals to skip ranks, expand hiring into field-grade ranks, and begin hiring laterally into flag or general officer ranks. Such a change would alter the deep structure of the military: Severely limiting lateral hiring dramatically affects how the military recruits and manages human resources (Henning, 2006). Given these distinctions, the repeal of DADT, despite the heated debates about the issue, would be an evolutionary change: It would not involve a fundamental change to military mission or strategy, nor would it require significant resources.

An episodic change, according to Burke, is a single event that is completed within a set time; a continuous change requires a considerable amount of time and may have to address new issues over that time. Others describe episodic change as the "occasional interruption or divergence from equilibrium" (Weick and Quinn, 1999). An example of episodic change would be the shift from the division-centric to the brigade-centric army (Feickert, 2006). Continuous change, on the other hand, is ongoing change that is driven by internal and daily issues (Weick and Quinn, 1999). The use of contractors in the military, for example, has been described as "a continuous process that ebbs and flows with sociopolitical changes within and among states" (Kelty and Segal, 2007; Thomson, 1994).

Of course, some policy changes in corporations and in the armed forces have both continuous and episodic elements, such as racial integration and the inclusion of women (Barnes, 2007; McSally, 2007). We expect that the repeal of restrictions on gay men and lesbians serving in the military would be of this type. While the adoption of a new policy that allowed gay men and lesbians to serve without restriction would be an episodic change, DoD will also have to determine how best to support and sustain this change over time. Moreover, new policies will evolve in the future in response to such issues as benefits for same-sex partners of military members.

In summary, using Burke's framework, a change that would permit gay men and lesbians to serve in the military without restriction can be characterized as a planned, evolutionary change with both episodic and continuous elements. Most organizational change literature focuses on planned, revolutionary change that is episodic, typically focused on supporting the transformation of the organization into a higher-performing company. However, as we will describe, these studies offer useful guidance for planned, evolutionary change.

**Phases of Change**

Practical frameworks for change offer prescriptive advice aimed at helping executives plan for and manage change. Two highly influential practical theorists are Kurt Lewin and John Kotter. Lewin's work was originally published just after World War II. Although not a recent work, it is worthy of inclusion as a foundational study in the field that influenced later generations of thinkers. Lewin's model consists of three steps: unfreezing the current situation, changing, and then refreezing to make the new behaviors stick (Lewin, 1947). Kotter's most influential work on change has spanned the last two decades. He is known for his deliberate approach to managing change that describes the process as having distinct stages and offers advice for each stage. A number of other less well-known but respected theorists offer similar staged models but describe the phases of change differently (see Table 13.1). For instance, Lippitt, a student of Lewin's, expanded Lewin's three steps into five (Lippitt, 1958). Similarly, Fernandez and Rainey (2006) offer eight steps specifically geared at managing successful organizational change in the public sector. Their work recognizes specific public sector requirements, such as building external political support.

While the phases listed in Table 13.1 are all described differently, they can be categorized into three general groups: planning for change, implementing change, and sustaining change. We use this three-part model in the next section to synthesize lessons from the literature on how to manage each phase of the implementation process.

We close this summary with the caution that there is some concern in the literature that these models tend to be offered without empirical tests (By, 2005). There is also no "one best way" to manage change (Burnes, 1996). However, according to By (2005), these models are most useful for small-scale and incremental change and are

**Table 13.1**
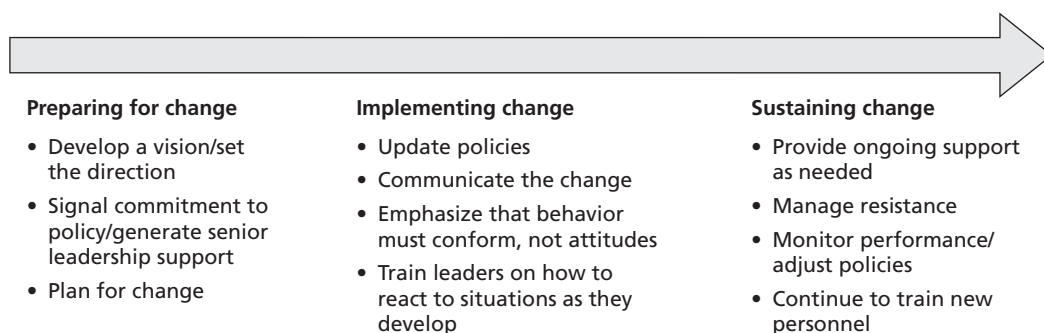**Phases of Change Described in Seminal Studies**

| Originator of Model | Phases of Change |
| --- | --- |
| Kurt Lewin (Burnes, 2004; Lewin, 1947) | 1. Unfreezing the current situation<br>2. Moving/changing<br>3. Refreezing |
| John Kotter (Kotter, 1996) | 1. Creating urgency<br>2. Creating a coalition<br>3. Developing vision and strategy<br>4. Communicating the change vision<br>5. Empowering employees<br>6. Generating short-term wins<br>7. Consolidating gains<br>8. Anchoring the change in the culture |
| Arnold S. Judson (Armenakis and Bedeian, 1999; Judson, 1991) | 1. Analyzing and planning the change<br>2. Communicating the change<br>3. Gaining acceptance of new behaviors<br>4. Changing from the status quo to the desired state<br>5. Consolidating and institutionalizing the change |
| Timothy Galpin (Armenakis and Bedeian, 1999; Galpin, 1996) | 1. Establishing the need to change<br>2. Developing and disseminating a vision of a planned change<br>3. Diagnosing/analyzing the current situation<br>4. Generating recommendations<br>5. Detailing the recommendations<br>6. Pilot testing the recommendations<br>7. Preparing the recommendations for rollout<br>8. Rolling out the recommendations<br>9. Measuring, reinforcing, and refining the change |
| Sergio Fernandez and Hal Rainey (Fernandez and Rainey, 2006) | 1. Ensure the need<br>2. Provide a plan<br>3. Build internal support for change and overcome resistance<br>4. Ensure top-management support and commitment<br>5. Build external support<br>6. Provide resources<br>7. Institutionalize change<br>8. Pursue comprehensive change |

therefore relevant to managing a change that would allow gay men and lesbians to serve in the military without restrictions.

## How to Successfully Manage Organizational Change

Just as it was described in the 1993 report, implementation of change is best defined as "the carrying out of a basic policy decision, usually incorporated in a statute but which can also take the form of important executive orders or court decisions. Ideally, that decision identifies the problem(s) to be addressed, stipulates the objective(s) to be pursued, and in a variety of ways 'structures' the implementation process" (Mazmanian and Sabatier, 1981; RAND, 1993). In this section, we provide a synthesis of the guidance offered in the studies of organizational change. Figure 13.1 displays that guidance

**Figure 13.1**
**Guidelines for the Phases of Change**



**Preparing for change**

- Develop a vision/set the direction
- Signal commitment to policy/generate senior leadership support
- Plan for change

**Implementing change**

- Update policies
- Communicate the change
- Emphasize that behavior must conform, not attitudes
- Train leaders on how to react to situations as they develop

**Sustaining change**

- Provide ongoing support as needed
- Manage resistance
- Monitor performance/adjust policies
- Continue to train new personnel

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within the three broad phases of change and lists specific steps for each phase that we describe in this section. We found these steps, which have been corroborated by our sources and informed by our understanding of military culture, to be most relevant to DoD in implementing the policy in question.

### Preparing for Change

**Develop a vision.** According to Kotter, "A vision says something that helps clarify the direction in which an organization needs to move" (1995, p. 63). The vision for change is the framework by which an organization's members and outsiders learn about, interpret, and understand the goals and reasons for the change (Garvin and Roberto, 2005). Therefore, it is important for the vision for specific changes to be consistent with organizational values and for new supporting activities to be motivated by an appeal to organizational values that are shared among members of disparate backgrounds and attitudes (Kier, 1998). Additionally, policies imposed from outside organizations are met with considerably more internal resistance because of disconnects between external demands and organizational culture (RAND, 1993). Thus, a vision that emphasizes the military's commitment to the new policy, not its external genesis, and links this commitment to its mission is more likely to generate support.

**Signal commitment and create senior leadership support.** Leadership support is identified as the single most important factor in successful implementation, and this is particularly true in the studies of military change. The most powerful influence on military culture is the officer corps (Dorn et al., 2000). In other words, the support of senior leadership is critical from the earliest stage of the change process, a step Kotter refers to as creating "a guiding coalition" (1996). When a significant number of high-level supporters helps design the policy and expresses support for it, the organization signals its commitment to it (Kotter, 1996). Senior leadership of all types should be involved: appointees and nonappointed leaders (Fernandez and Rainey, 2006) and leadership in both the individual services and the Office of the Secretary of Defense

(Waring, 2004). Furthermore, leadership at all levels is key, including in the enlisted ranks. Previous military change efforts have been hurt by the absence of such support. For instance, noncommissioned officers (NCOs) are the first representatives of the military that new Army recruits encounter during training, and lack of NCO support for gender-integrated basic training initially undermined the policy (Chapman, 2008). Interviews with service members reinforce that the attitudes of military leaders at all levels set the tone for whether antigay harassment is accepted (Frank, 2004).

The literature also emphasizes the importance of getting leaders to agree to the goals and objectives of the policy change. Discord among senior leadership about the goals for the change and the methods by which it will be implemented can lead to the failure to meet the change objectives. One study argues that disagreements between the Army and the Office of the Secretary of Defense over what form Army transformation efforts should take (as well as other disputes and general mistrust) impeded change efforts. These issues also led to very public fights between Army leadership and the Office of the Secretary of Defense (Waring, 2004).

**Plan for change.** Most change experts also emphasize the need for planning. Of the phases of change included in Table 13.1, only one does not include a deliberate planning step (Lewin, 1947), but planning is implicit in Lewin's model. There is also some agreement among theorists regarding the output of this stage. Kotter (1996) and Fernandez and Rainey (2006) both emphasize the importance of the planning stage resulting in clear, specific goals and a vision that is clearly linked to those goals. Both of these theories describe the planning stage as one in which leadership determines the best way to go forward. Kotter (1995) also cautions that a careless approach to implementing change will reduce its effectiveness or lead to its failure. Reardon, Reardon, and Rowe (1998) describes the planning stage as a learning process. It says that "the emphasis is on creativity, garnering important information, identifying obstacles, considering alternatives, and selecting among them" (p. 135). Another study emphasizes the importance of being open to learning from a diverse group: In the military, this means involving personnel of various ranks and leadership styles (Reardon and Reardon, 1999).

### Implementing Change

Many of the more specific guidelines on change implementation that are relevant in this case come from literature on change within the military. Organizational change literature emphasizes the need to implement and reinforce change—and manage resistance—in a way that is tailored to the unique environment in which it will take place (Kelly, 2008). As we have noted, the military is a unique institution with specific barriers and facilitators to change, and the organizational change literature focuses on the corporate environment, in which change is either explicitly or implicitly linked to profit or other clear metrics of performance. Although the military has many metrics for performance, it is harder to link them to a simple outcome measure, such as profit.

This leads the military change literature to focus more broadly on cultural or structural changes, often with a resource management or human capital component.

**Update policies.** At some point, the new policies need to be rolled out. Based on its literature review, the 1993 report recommended that the initial policy change should be accomplished quickly and simply. Using Burke's (2002) framework, the policy represents an evolutionary change, not a modification of overall military goals or structure. However, one lesson that emerges from our sources is that an initial change, no matter how quick and simple, may need to be supported with further change. Previous cultural changes in the military show that integration efforts are continuous: Initial policy changes do not represent the organization's final word on the topic (Barnes, 2007). Military leaders should therefore anticipate that it is likely that both the policy and the organizational culture will keep evolving. Based on existing research, we can anticipate that some issues—such as offering deployment-related support services to same-sex partners—will come up immediately (Frank, 2004). Others, such as the extension of benefits to same-sex partners, will evolve over time, just as they did in the civilian world (Peterson, 2010).

**Communicate the change.** Studies provide a number of recommendations about how a policy change should be communicated. Most important, the policy needs to be described with clarity and openness. There should be no room for ambiguity that could allow managers to reinterpret the policy in ways that would limit the success of the change (Bingham and Wise, 1996; Myers and Dillon, 1999). It should also be announced as soon as information is available, rather than waiting for some ideal time, and should be conveyed in such a way as to control rumors (Smeltzer, 1991).

Leaders at all levels need to provide consistent messages about what the policy will mean (Riddle, 2005) and convey that the change is permanent and not just a function of temporary political leadership or appointees (Terriff, 2007). This includes NCOs who are responsible for oversight of enlisted troops—their role in the communication of the change must be understood and supported. As we have mentioned, a policy change is more likely to be accepted if it is clearly linked to the organization's goals ("CIA Director Leon Panetta: Driven to Better Democracy," 2010). People are more likely to accept the change if they believe it is in the institution's interest—and ultimately in their own best interest.

**Convey that new policy requires changes in behaviors, not attitudes.** Literature on military change suggests that successfully implementing policies does not require changing service members' personal values. The military is a diverse organization in which some members may hold values that are inconsistent with the broader message and goals of the military (Buck et al., 2005). Creating the perception that the military is trying to change service members' personal values can create resistance (Terriff, 2007).

By framing new policies in terms of facilitating commitment to the mission—shared experiences and goals, not individual values—this policy can be embedded in

terms of the culture of the military that already exists. The atmosphere of the military is one of compulsory civility in the pursuit of shared goals ("Lessons in Transcendence: Forced Associations and the Military," 2004), and the use of these tools of hierarchy and suppression of individualism have been successful in terms of achieving racial integration that surpasses that of the private sector. As one expert describes the military, "compared to civilian life, it is a system in which historical out-groups flourish" ("Lessons in Transcendence: Forced Associations and the Military," 2004).

**Provide training.** The literature also claims that engaging employee participation through training will increase the chances of successful implementation of organizational change (Gagné, Koestner, and Zuckerman, 2000; Kirkpatrick, 1975; Kotter and Schlesinger, 1979). Training provides an opportunity to reinforce communications and leadership: It reiterates the new policy and emphasizes that leadership takes it seriously. Of course, training should be carefully executed. Kirkpatrick's fundamental work on training (1975) offers four criteria to evaluate programs: immediate reactions, efficacy of learning, changes in behavior, and results. In Rynes and Rosen (1995) a survey of HR professionals found that the success of diversity training was associated with top management support for diversity, among other factors.

HR professionals recommend training on issues relating to sexual orientation (Cadrain, 2008), although not necessarily as part of a distinct training program (Peterson, 2010). In practice, however, the military and other organizations have successfully made changes regarding diversity policies without addressing them specifically through training. DoD and the Coast Guard already require periodic training on sexual harassment and assault. However, it is not easy to make sure that training addresses all the questions it should and does so in a way that does not create resentment or foster an "us versus them" mentality (Hemphill and Haynes, 1997). GAO reports that not all service members are receiving the required training and that some service members who have gone through the training still do not fully understand who to contact in cases of sexual assault (GAO, 2008a). In other words, training is difficult to get right, and new programs need to be created with sensitivity to this problem.

### Sustaining Change

**Provide ongoing support.** Leadership support is critical in sustaining change as well as implementing it. Because the effectiveness of any new policy depends on whether employees believe the policy will be enforced fairly and swiftly across all strata of personnel, the literature emphasizes the need for ongoing support and resources for dealing with those whose behavior does not conform to the new policy.

Although the military is a hierarchical organization, orders from the top do not always mean the new policy will be implemented, either in letter or in spirit (Terriff, 2007; Veneri, 2008). As Segal and Bourg write, "Leaders serve as role models for personnel in their units: military personnel often model their behavior toward others on the basis of their leaders. Further, the degree to which leaders enforce nondiscriminatory

behavioral guidelines affects the likelihood of such behavior occurring and recurring" (2005, pp. 514–515). Efforts to integrate women and minorities into the force have been undermined by NCOs who opposed the new policies and complained that they had not been given the resources or training to handle the consequences (Chapman, 2008). Successful implementation depends not only on strict and consistent enforcement but on sufficient resources available to leaders at all levels, including NCOs.

**Manage resistance.** Structures for reporting harassment already exist, although, as the GAO has reported, there is room for improvement regarding implementation, commander support, and access to mental health providers. There is also underreporting of sexual harassment, in part because service members believe nothing will be done and they fear they will be ostracized (GAO, 2008a, 2008b). All organizations have tools by which they can overcome resistance, including "persuasion; inducements and rewards; compromises and bargaining; . . . psychological support; employee participation, ceremonies and other efforts to build loyalty; recognition of the appropriateness and legitimacy of past practices; and gradual and flexible implementation of change" (Fernandez and Rainey, 2006; Judson, 1991). The military in particular can draw on aspects of its culture that facilitate change, such as hierarchy and conformity, as described above.

**Monitor performance and adjust policies.** Sustaining the new policy includes measuring its effects. Various researchers have emphasized that monitoring employee reaction to change should be part of the implementation process (Carnall, 1995; Galpin, 1996; Judson, 1991; Riccucci et al., 2004). Some experts emphasize the need to collect data and monitor the effects of an organizational change during and after the implementation process to ensure that implementation has been institutionalized (Fernandez and Rainey, 2006; Judson, 1991). Riccucci et al. found an association between what employees believe the company monitors and what they believe to be the company's goals (2004).

Monitoring performance is also a theme in studies of the integration of minorities into the military. The military has tracked selection and promotion outcomes based on race and gender (Barnes, 2007). Tracking may not be feasible or desirable in the context of a policy change removing restrictions on gay personnel—service members may not want to reveal their sexual orientation, even if they are assured of anonymity—nor does the military track other "invisible" forms of diversity (e.g., religion). However, any harassment or assault complaints directly related to sexual orientation can be tracked using the same systems as other complaints, and the results could be used to inform policy adjustments (GAO, 2008a, 2008b), such as increasing or decreasing training or targeting information at particular services or communities. We note that any system that is used to track complaints should be structured in such a way that it does not suppress reporting of incidents.

## Summary

This chapter considers how policy changes in case of a repeal of DADT might be implemented successfully by DoD in light of the institutional culture of the military and the lessons from research on implementing change in large organizations. We have proposed a framework for managing policy change that includes actions that can be taken to plan for change, implement the change, and sustain the change over time. Several key lessons relevant to DoD arise from this analysis:

- Prominent leaders at all levels of the organization can drive the change by articulating clear and consistent reasons for the change that link to the mission of the organization. Change is most likely to succeed if leaders send a strong and consistent message of support for the new policy and express that support in terms that are compatible with military culture. It is particularly important to engage the support of officers and NCOs, who will be responsible for implementing the policy on the ground.
- Communication of the change should convey the importance of behavioral compliance and sanctions for noncompliance. The most important support for change in the military is the code of professional conduct that emphasizes treating all others with respect. Leaders need to make clear that complying with the new policy does not require service members to change their personal attitudes or values.
- Training offers an opportunity to reinforce leadership and communication of the new policy. A policy of engaging members through appropriate training targeted to specific levels of command may improve the chances of successful implementation by engaging individual leaders in the process. It is particularly important for training and resources to be dedicated to unit leaders who will be handling complaints arising from the new policy.
- The enforcement system needs to be explicit and consistently applied. Military experience with handling of sexual harassment suggests that a code of behavior alone cannot bring about compliance; leaders, particularly at the unit level, need the resources and training to respond quickly and fairly to punish noncompliance with the new policy.
- The effects of the policy change should be monitored and policies reinforced, where necessary. For example, harassment complaints can be tracked and the results used to inform policy adjustments, such as offering training targeted to particular services or communities.

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# Insights from the Expanding Role of Women in the Military[1]

## Overview

In its 1993 study, RAND was asked to examine the integration of blacks into the military and to identify insights that could be helpful in deciding whether or not to allow gay men and lesbians to serve without restriction.[2] In its 2010 study, RAND was asked to similarly examine the history of the expanding role of women in the military and to identify any insights from that experience that may inform the process of allowing gay men and lesbians to serve without restriction in the military. This appendix provides (1) a historical overview of the expanding role of women in the military—focusing particular attention on the expanding role of women in combat over the past 20 years, (2) a discussion of insights that may inform the process of allowing gay men and lesbians to serve without restriction, and (3) a summary of the findings of our analysis.

### Methodology

In researching this appendix, we drew on both primary and secondary documents to develop a historical overview of the expanding role of women in the military. In addition, we drew on the findings from this report, especially Chapters Eight, Nine, and Ten. Chapter Eight provides the findings of focus group discussions comprised of U.S. service members. Chapter Nine provides the findings of a survey that was conducted of serving gay and lesbian personnel in the U.S. military. Chapter Ten provides an overview of discussions we had with a wide range of knowledgeable officials throughout some of the foreign militaries that have allowed gay men and lesbians to serve without restriction (i.e., Australia, Canada, Germany, Israel, Italy, the Netherlands, and the United Kingdom).

### Key Findings

Our analysis in this chapter indicates that the process of allowing gay men and lesbians to serve without restriction in the U.S. military will likely be more different than simi-

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[1]  This chapter was prepared by Agnes Gereben Schaefer.

[2]  See RAND, 1993, pp. 158–190.

lar to the experience of expanding the role of women in the military. While the roles of women in the U.S. military have expanded over time, women continue to be treated differently in a range of areas. From the outset of their integration into the military, women were not integrated under the auspices of nondiscrimination. Instead, unique ethical and biological rationales have been used to limit the participation of women in the military. For instance, Congress' decision to impose restrictions on participation in the military in the 1940s was guided by two rationales: (1) Women and children should be protected from warfare and (2) women are not physically capable of conduct-ing particular combat tasks (Ferber, 1987).[3] Statutes were put into place by Congress to exclude women from being assigned to duty on Navy ships that engaged in combat missions or on aircraft that engaged in combat missions (Public Law 625, 1948). While these statutory limitations have since been repealed, women remain precluded from being assigned to particular types of military specialties, positions, and units, based solely on their gender. Specifically, DoD policy continues to exclude women from being assigned to units below the brigade level whose primary mission is direct ground combat. Therefore, women's participation in the military has always been deliberately restricted, and women have never received equal treatment and equal opportunities in the military.

These rationales have not only impacted career options for women in the mili-tary, but they have also sparked ongoing debates about entrance requirements, physical fitness requirements, and gender-integrated training. These same rationales have not been used to restrict the participation of gay individuals or blacks in the military. In addition, the physical differences between men and women have necessitated the estab-lishment of specific rules and accommodations for women (e.g., uniform standards, separate living quarters), further differentiating men from women. The same kinds of specific rules and accommodations have not been made for blacks, and they are not being proposed for gay individuals.

Since 1948, when it was mandated by executive order that they were to receive equal treatment and equal opportunities in the military, blacks have not experienced this type of deliberate restriction of participation. Given the debate surrounding DADT,[4] it is likely that gay men, like blacks, will be allowed to serve without restric-tion in the military under the auspices of nondiscrimination, and, therefore, they too are not likely to experience the same types of continuing, deliberate restrictions based on sexual orientation that women have experienced based on gender.[5]

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[3]  The question of whether women are physically able to carry out combat-related tasks was also a major point of contention on the Presidential Commission on the Assignment of Women in the Armed Forces. See Presidential Commission on the Assignment of Women in the Armed Forces, 1992a.

[4]  See Chapter One and Chapter Two for a complete description of the arguments concerning discrimination in the debate surrounding DADT.

[5]  While known gay men and lesbians may face animosity, as blacks did, the 1993 report found that such issues could be overcome through "strong military and civilian leadership that agrees on the goals of the policy, clear

Another important difference between gender integration and the process of allowing gay men and lesbians to serve without restriction is that gender integration occurred from the bottom up and occurred incrementally. For instance, there was considerable focus on whether there needed to be senior women in place in units before junior women were permitted into those units. Our survey data in Chapter Nine indicate that gay men and lesbians are already serving in the ranks of the U.S. military,[6] and, therefore, the same incremental process will not be necessary if gay men and lesbians are allowed to serve without restriction. As a consequence of some of the issues mentioned above, women and blacks have been viewed as separate classes in the military—their numbers are tracked, and their careers are watched by the military. Gay men and lesbians are currently not considered a separate class by the military, and there are no plans to consider them as such.

In sum, our analysis in this appendix finds that, if DoD intends to fully end discrimination on the basis of sexual orientation, the experience of racial integration is more analogous than the integration of women. This is because women were never integrated under the auspices of nondiscrimination and because they have continued to be restricted from participation based on unique ethical and biological rationales. In addition, as pointed out in the 1993 report,

> The main theme of those opposed to racial integration in the post-war period centered on the fact that whites were hostile toward serving with blacks. This argument was often accompanied by rhetoric similar to that surrounding the issue of homosexuals serving today. Integration was said to be inconsistent with prevailing societal norms and likely to create tensions and disruptions in military units and to impair combat effectiveness. (RAND, 1993, p. 20)

Animosity toward women in the military has never reached anything near the level of that toward blacks during the racial integration of the armed forces (e.g., there were no events that were comparable to the race riots in the military during the World War II and Vietnam War eras).

However, three main insights did emerge from our analyses of the integration of women that may inform the process of allowing gay men and lesbians to serve without restriction:

- Our focus group discussions with U.S. military personnel revealed that service members in the United States are concerned that the process of allowing gay men and lesbians to serve without restriction will cause problems similar

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signals from all leadership levels that compliance with the policy is a command responsibility and that no resistance will be tolerated, swift punishment for non-compliance, and a focus on changing behavior, not attitudes" (RAND, 1993, p. 188).

[6]  See Chapter Nine for a complete description of findings from our survey of gay military personnel.

to those associated with the integration of women (e.g., harassment, favoritism, flirting, interference with male bonding).[7] However, our discussions with personnel from foreign militaries indicated that, while some of their service members expressed similar concerns prior to allowing gay men and lesbians to serve without restriction in their militaries, those concerns were never realized during or after implementation.

- The personnel from foreign militaries we spoke with indicated that, in their experience, the integration of women was much more difficult and complex than the process of allowing gay men and lesbians to serve without restriction,[8] thus reinforcing the unique challenges associated with integrating women into the military.
- While some have expressed concerns about the negative impact of gay men and lesbians on unit cohesion and military readiness in the United States, studies indicate that the expansion of women's roles in the military has not had a negative impact on unit cohesion and military readiness and that increased diversity can be managed successfully.

We turn next to a discussion of the history of the expanding role of women in the U.S. military.

## The Expanding Role of Women in the U.S. Military

Women have been present on the battlefield throughout U.S. history, but initially they had very limited roles as volunteers, nurses, and caretakers. During World War II, 350,000 women—an unprecedented number—participated in the war effort, and they began to take on new auxiliary roles so that more men could fight in combat (Holm, 1992, p. 100; Public Law 77-554, 1942).[9] Shortly after the establishment of the Women's Army Auxiliary Corps (WAAC), Congress established the Women Accepted for Volunteer Emergency Service (WAVES) in June 1942 as a branch of the naval reserve (Public Law 689, 1942). Unlike the WAAC, which was a temporary auxiliary corps, women in the WAVES were afforded some of the same ranks and ratings as in the Navy. However, the following restrictions were placed on the women in the WAVES: The number and rank of officers in the WAVES was limited,[10] the authority of WAVES officers could only be exercised over women in the WAVES, and members

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[7]  See Chapter Eight.

[8]  See Chapter Ten.

[9]  For a comprehensive history of the WAAC and the Women's Army Corps (WAC), see Treadwell, 1954.

[10]  There could be no more than one officer in the grade of lieutenant commander nor more than 35 officers in the grade of lieutenant, and the number of officers in the grade of lieutenant (junior grade) could not exceed 35 percent of the total number of commissioned officers.

of the WAVES were restricted to shore duty within the continental United States only and could not be assigned to duty on board Navy vessels or in combat aircraft (Public Law 689, 1942).

In 1943, the WAAC was converted to full status as the WAC, but similar restrictions applied (Treadwell, 1954, p. 264):

- WAC units would contain only women and would be commanded by WAC officers, just as men's units were composed of and commanded by men.
- WACs could not serve in combat.
- WACs would not be confined in the same building with men, except a hospital.
- WACs would not work in "restaurants or cafeterias in service clubs, guest houses, officers' clubs or messes."
- WAC officers would not be promoted to the grade of colonel.
- WACs would not command men unless specifically ordered to do so.
- WACs would not be employed as physicians or nurses.
- WAC officers would be appointed only from officer candidate school graduates, and officer candidates would be selected only from women already in the corps.
- Enlistment standards would differ from men's in the age and citizenship requirements set by Congress, and a different physical examination would be given to women; venereal disease would also be disqualifying, and women with dependent children would be ineligible.
- Discharge was mandatory for minors; authority was included for discharge for pregnancy.

In 1948, the Women's Armed Services Integration Act formally gave all women regular and reserve status in the armed forces (as opposed to the temporary, emergency status that most had up to this point). While this act formally mandated the integration of women into the military, it also mandated restrictions on their participation in the military:[11]

- Women could constitute no more than 2 percent of each branch.
- Each service was limited to only one female full colonel or Navy captain.
- Women were excluded from flag ranks (general and admiral).
- Different enlistment standards and dependency entitlements were set for men and women.
- Women could not be assigned to duty on Navy ships that engaged in combat missions or on aircraft that engaged in combat missions.[12]

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[11]  See Public Law 625, 1948, and Devilbiss, 1990.

[12]  Because the WAC already excluded women from combat, there was no need for a separate statute for Army service women.

Therefore, "while the new law included women as an integral part of the permanent establishment, it failed to give them status equal to that accorded men" (Morden, 1990, p. 56). From the outset of their formal integration into the military, women were treated differently than men, and restrictions were placed on their integration. These restrictions would remain in place for decades, and some continue to this day.

In response to the Korean War, the military's overall goal was to mobilize half a million to one million women to join. In spite of active recruiting efforts, the military fell far short of its goal (Holm, 1992, p. 157). At its peak, the number of women in the armed forces during the Korean War was 48,700, declining to about 35,000 by war's end in June 1955 (Holm, 1992, p. 157). In 1951, Secretary of Defense George C. Marshall created the Defense Advisory Committee on Women in the Services (DACOWITS), a civilian advisory board, to advise on the recruitment and retention of military women for the Korean War. DACOWITS is still in existence today, and its recommendations have greatly impacted the evolution of women's roles in the military.

During the Vietnam War, DoD had a goal of adding 6,500 women to the military in an attempt to reverse a downward trend after the Korean War (Holm, 1992, p. 187). However, women continued to be utilized in very limited roles. In 1967, the 2-percent ceiling and promotion ceilings established by the Women's Armed Services Integration Act were lifted, partially in response to recommendations made by DACOWITS. Despite the lifting of these ceilings, large numbers of women did not begin to join the military until the 1970s. Five years after the 2-percent ceiling was lifted, the nonnurse female proportion of the military stood at only 1.7 percent (D'Amico and Weinstein, 1999, p. 42). During this time, the military continued to rationalize the restriction of women due to their gender and physical capabilities. For instance, the Army reported that,

> In the military service, the woman finds herself the minority among males; she requires separate facilities and is precluded for social reasons, and for her own safety, from performing duties within the confines of an all-male atmosphere. Physically, the military woman is not well suited for the rigors of field duty or capable of performing fatigue details normally performed by men, and cannot be considered self sufficient enough in this regard to perform under the conditions experienced by maneuver elements in tactical operations. For this reason, the utilization of women in units below Corps level is not considered feasible. (Directorate of Personnel Studies and Research, 1969)

### From the Advent of the All-Volunteer Force to Operation Desert Storm: 1971–1991

On September 28, 1971, President Richard Nixon signed the bill committing the country to an all-volunteer force (AVF),[13] and the draft formally ended on June 30, 1973.

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[13] For a comprehensive accounting of the evolution of the all-volunteer force, see Rostker, 2006.

With the introduction of the AVF, there was an increased perception that women were needed to fill the ranks, and, subsequently, the services were directed to develop contingency plans to increase the use of women in the military (Devilbiss, 1990, p. 13). It was only then that large numbers of women began to join the military.

In 1972, the Central All-Volunteer Force Task Force was created to examine issues related to ending the draft. One of the issues that the task force was charged with studying was "women in the military." When Congress passed the Equal Rights Amendment in April 1972, Assistant Secretary of Defense Roger Kelley instructed the services to "take action to eliminate all unnecessary [restrictions] applying to women" (Central All-Volunteer Task Force, 1972, p. 8). At the end of 1972, the task force "conclud[ed] that the potential supply of military women could sustain a substantial increase in accession of military women," and the task force set goals to increase the number of women in all the services (Central All-Volunteer Task Force, 1972, p. 22). In anticipation of the ratification of the Equal Rights Amendment, the Army and the Navy subsequently decided to double the number of women in uniform, the Air Force chose to triple the number of women serving, and the Marines sought to increase the number of female Marines by 20 percent (Rostker, 2006, p. 176).

In many ways, the role of women in the military during this time mirrored the developments in American society, including the emergence of the women's rights movement and feminism. In 1976, women were allowed to enter the nation's three service academies for the first time. In 1978, President Jimmy Carter signed Public Law 95-485, which (1) disintegrated the all-female WAC and integrated women into the Army and (2) allowed women in the Navy to be assigned to duty aboard noncombatant ships (Public Law 95-485, 1978).

The failure to ratify the Equal Rights Amendment by 1982 marked the beginning of the end for the heyday of the women's rights and feminist movements, and advocates who wanted to limit the role of women in the military shifted their arguments to the potential negative impacts of women on military readiness and effectiveness:

> The opponents of women in the military were stymied as long as equal opportunity and citizens' rights held the limelight. When the debate was redirected so that readiness, effectiveness, and efficiency became the central issues, opponents of women did not have to address equality claims at all. They just insisted that other items had priority and that "rights" were a luxury—or even, in a popular phrase of the day, that women's presence in the military was a "social" experiment. (Stiehm, 1989, p. 49)[14]

Subsequently, the early 1980s marked a period in which the role of women in the military was reassessed. At this time, claims of "reverse discrimination" in the

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[14] This argument echoes current rhetoric that claims that the military is being used as a social experiment to allow gay men and lesbians to serve without restriction.

military also began to emerge. This issue came to a head in 1980 when Bernard Rostker, the director of the Selective Service System, was sued in an attempt to rescind women's exemption for selective service. The case was appealed to the Supreme Court, and in 1981 the Court ruled that women are exempt from selective service because "women as a group . . . are not eligible for combat. The restrictions on the participation of women in combat in the Navy and Air Force are statutory" (*Rostker v Goldberg*, 453 U.S. 57 [1981]).

When the Reagan administration came into office in 1981, the Army decided the time was right to roll back the advances that women had made in the military during the Carter administration (Rostker, 2006, p. 565). The Army announced its objection to the Office of the Secretary of Defense's (OSD's) goal to increase the number of enlisted women in the active Army and instead voiced its desire to

> level out the number of enlisted women in the Active Army at 65,000. . . . These modifications were prompted by indications from field commanders that combat readiness is being affected by such factors as attrition, pregnancy, sole parenthood, and strength and stamina, which have come to light during the recent rapid increase in the number of women in the Army. (Clark, 1981)

Accordingly, the Army decided to take a "pause" in the recruitment of women in lieu of an examination of their impact on military readiness—a period subsequently termed "Womanpause" (Holm, 1992, pp. 380–388).

OSD was quick to respond and announced a rapid study of the impacts of women on readiness. When the study concluded, Secretary of Defense Casper Weinberger sent a memo to the services indicating that

> Qualified women are essential to obtaining the numbers of quality people required to maintain the readiness of our forces. This Administration desires to increase the role of women in the military, and I expect the Service Secretaries actively to support that policy. . . . This Department must aggressively break down those remaining barriers that prevent us from making the fullest use of the capabilities of women in providing for our national defense. (Weinberger, 1982)

Therefore, the focus of the Reagan administration turned to eliminating institutional barriers for women in the military (Rostker, 2006, p. 567). However, Lawrence Korb, an assistant secretary of defense, acknowledged that the question of combat exclusions was central to the issue of eliminating barriers. If combat exclusions were legitimate, "the barriers that result are neither artificial nor discriminatory" (Korb, 1982).

In 1982, the Army reassessed the coding system it used to assess women's risk on the battlefield, and, as a result, some jobs were restored to women, while others were eliminated altogether. In response, Secretary Weinberger stated,

> It is the policy of this Department that women will be provided full and equal opportunity with men to pursue appropriate careers in the military services for which they can qualify. This means that military women can and should be utilized in all roles except those explicitly prohibited by combat exclusion statutes and related policy. This does *not* mean that the combat exclusion policy can be used to justify closing career opportunities to women. The combat exclusion rules should be interpreted to allow as many as possible career opportunities for women to be kept open. (Weinberger, 1983, emphasis in original)

In 1988, a task force proposed a new "risk rule which excluded women from noncombat units or missions if the risks of exposure to direct combat, hostile fire, or capture were equal to or greater than the risk in the combat units they supported" (U.S. General Accounting Office, 1988, p. 2). Less than two years later, Assistant Secretary Christopher Jehn reported to Congress that, as a result of the new "at risk" rule, "31,000 new positions were opened to women in both the active and reserve components [and] over 63 percent of all positions in the Services are now open to women" (Jehn, 1990).

## From Desert Storm to Today: 1991–2010

Of the more than half a million U.S. troops deployed to the Persian Gulf during Operations Desert Shield and Desert Storm, approximately 7 percent (about 41,000) were women (U.S. General Accounting Office, 1993, p. 10). This precipitated major changes in policy with regard to the role of women in the military, including a reexamination of exclusionary laws. In 1991, Congress repealed 10 U.S.C. 8549, the combat aviation exclusion, and, in a compromise move, established a presidential commission to study the issue of combat exclusions further (Holm, 1992, pp. 473–510, Rostker, 2006, p. 572). The Presidential Commission on the Assignment of Women in the Armed Forces, consisting of nine men and seven women,[15] spent seven months taking testimony from more than 300 witnesses. It also solicited comments from more than 3,000 retired officers, considered 11,000 letters and statements, and visited 22 military installations (Rostker, 2006, p. 574). While there was division and acrimony within the commission, as well as external criticism of the commission, it issued a report in 1992 and proposed several recommendations, including the following (Presidential Commission on the Assignment of Women in the Armed Forces, 1992a):

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[15] Some commission members would later become central figures in the debate on gay rights in the military, including Charles Moskos, a military sociologist and the architect of DADT; retired Army Colonel Darryl Henderson, former commander of the Army Research Institute and author of *Cohesion: The Human Element in Combat,* who argued that cohesion could not be developed in mixed gender units; and Elaine Donnelly, president of the Center for Military Readiness (CMR) and a frequent critic of defense personnel policies.

- the adoption by the military services of "gender-neutral assignment policies" to ensure that no one could be denied access to a post open to both men and women on the basis of gender
- acknowledging the physiological differences between men and women and calling on services to "retain gender-specific physical fitness tests and standards to promote the highest level of general fitness and wellness"
- the retention of existing policies that did not allow for the assignment of service women to special operations forces, apart from service in a medical, linguistic, or civil affairs capacity
- a new law banning women from air combat positions (18 months after Congress repealed an identical law), as well as urging legislation to exclude women from ground combat assignments in the infantry, artillery, and armor and from certain assignments in air defense and as combat engineers
- opening nonflying jobs to women on Navy combat ships while disqualifying women from service on submarines and landing aircraft.

Five commission members were not happy with the conclusions of the report and instead issued an "Alternative View Section" (Presidential Commission on the Assignment of Women in the Armed Forces, 1992b). The crux of the alternative view was that "the military, in building fighting units, must be able to choose those most able to fight and win in battle" (Presidential Commission on the Assignment of Women in the Armed Forces, 1992b, p. 44). The alternative view argued that allowing women to serve in combat units would endanger not only women but also the men serving with them (Presidential Commission on the Assignment of Women in the Armed Forces, 1992b, p. 44). In addition, the alternative view noted that the issue of women in combat was not comparable to racial integration in 1948 because "dual standards are not needed to compensate for physical differences between racial groups, but they are needed where men and women are concerned" (Presidential Commission on the Assignment of Women in the Armed Forces, 1992b, p. 45).

It was left to incoming Secretary of Defense Les Aspin to arbitrate the competing views expressed by the commission (Rostker, 2006, p. 574). In April 1993, President William Clinton ordered the services to open combat aviation to women and to investigate other opportunities for women to serve. In response, Aspin ordered the services to "permit women to compete for assignments in aircraft including aircraft engaged in combat missions" (Aspin, 1993). Later that year, Congress repealed 10 U.S.C. 6015 (the combat ship exclusion), opening most Navy combatant ships, except for submarines, to women. In 1994, DoD rescinded its "risk rule" because "the rule no longer applied since, based on experiences during [Operation] DESERT STORM, everyone in the theater of operation was at risk" (U.S. General Accounting Office, 1988, p. 3). DoD also announced its new ground combat exclusion:

> Women shall be excluded from assignment to units below the brigade level whose primary mission is to engage in direct combat on the ground . . . with individual or crew served weapons, while being exposed to hostile fire and to a high probability of direct physical contact with hostile force's personnel. (Aspin, 1994)[16]

As a result of these and other policy changes, the number of positions open to women increased substantially. For instance, in both the Navy and the Marine Corps, there was about a 30-percent increase in positions that were open to women (Harrell and Miller, 1997, p. xvii). Before these policy changes in 1993, 67 percent of positions were available to women in the military; by 1997, 80.2 percent of positions in the military were available to women (Harrell and Miller, 1997, p. 12).

**Operation Enduring Freedom and Operation Iraqi Freedom Blurred the Lines of Direct Combat.** The wars in Iraq and Afghanistan have proven to be a watershed in the story of the integration of women into the military. Peter R. Mansoor, a retired Army colonel who served as executive officer to General David H. Petraeus while he was the top American commander in Iraq, noted that "Iraq has advanced the cause of full integration for women in the Army by leaps and bounds. . . . They have earned the confidence and respect of male colleagues" (Alvarez, 2009). The wars in Afghanistan and Iraq presented a less predictable, nonlinear battlefield with asymmetric threats that could potentially expose female soldiers to combat. This caused some to question the relevance of the ground combat exclusions, since some female soldiers were already experiencing combat.

As the Army developed its new modularity plan in the midst of the wars in Iraq and Afghanistan, concerns grew once again over the potential exposure of women to combat. In May 2005, House Armed Services Committee Chairman Duncan Hunter (R-Calif.), introduced a bill that would have (1) prohibited women from serving in any company-size unit that provided support to combat battalions or their subordinate companies and (2) blocked the assignment of women to thousands of positions previously open to them, and in which they were already serving. The Army opposed this bill; as General Richard A. Cody, the Army's vice chief of staff, noted, "[t]he proposed amendment will cause confusion in the ranks, and will send the wrong signal to the brave young men and women fighting the Global War on Terrorism" (Tyson, 2005). The bill was ultimately defeated.

The newest expansion of roles for women came in February 2010, when Secretary of Defense Robert Gates notified Congress of the Department of the Navy's desire to reverse the policy of prohibiting women from submarine service. When General George Casey, the Army's chief of staff, was asked about his view on expanding the ability of

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[16] According to DoD officials from the Office of the Under Secretary of Defense for Personnel and Readiness, "the prohibition on direct ground combat was a long-standing Army policy, and for that reason, no consideration was given to repealing it when DoD adopted the current assignment policy in 1994" (U.S. General Accounting Office, 1988).

women to serve in combat roles, he told the Senate Armed Services Committee that it was time to review the policy. "I believe it's time we take a look at what women are actually doing in Iraq and Afghanistan and to look at our policy," Casey said (U.S. Senate Committee on Armed Services, 2010, p. 41). Public opinion on the role of women in combat may also be shifting. A 2009 CBS poll indicated that a majority of respondents (53 percent) supported women serving in combat roles. Eighty-three percent of respondents supported women serving as combat support troops (CBS News, 2009).

### Remaining Challenges

Despite the expansion of women's roles in the military, challenges remain. In particular, interpersonal relations between men and women in the military remain strained, and issues of sexual harassment remain prevalent almost 70 years after the formal integration of women into the military. These challenges were also mentioned by the participants in our focus groups with U.S. military personnel, as well as in our discussions with personnel from foreign militaries. While there is some concern that gay men and lesbians will be harassed or assaulted if they are allowed to serve without restriction, our discussions with personnel from foreign militaries indicate that the same processes that combat harassment and physical violence against service women can also be used to combat harassment and violence against gay men and lesbians.[17]

**Sexual Harassment.** Sexual harassment has been acknowledged to be more about the abuse of power than about sex (MacKinnon, 1979; Schultz, 2001; Tangri, Burt, and Johnson, 1982; Welsh, 1999). While the definition of sexual harassment is highly contested, in 29 CFR 1604.11 (2006), sexual harassment is defined as follows:

> Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. (DoD Inspector General, 2010, p. 5)

Estimates of sexual harassment in organizations are difficult to calculate because it is believed to be highly underreported (Thomas and Kitzinger, 1994). According to a 2006 DoD survey, one-third of all female respondents said that they were sexually harassed (Associated Press, 2008). However, it remains unclear whether sexual harassment is more prevalent in the military than elsewhere in society. A meta-analysis published in 2003 found that some estimates of sexual harassment in civilian organizations were higher than the 33 percent found in DoD's 2006 survey, and other estimates were

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[17]  See Chapter Ten.

lower (Ilies et al., 2003). Across a variety of work environments (both civilian and military) and based on 86,578 respondents from 55 independent probability samples, the meta-analysis found that 24 percent reported having experienced sexual harassment at work (Ilies et al., 2003).

Sexual harassment has also been a problem at the service academies. In a 1994 report that investigated issues of sexual harassment at the service academies, GAO found that between 93 and 97 percent of academy women reported experiencing at least one form of sexual harassment during academic year 1991 (U.S. General Accounting Office, 1994). In addition, the report found that 50 percent of female midshipmen at the Naval Academy, 76 percent of female cadets at West Point, and 59 percent of women at the Air Force Academy had stated that they had experienced harassment at least twice a month.

**Sexual Assault.** Although the Code of Federal Regulation does not define sexual assault, DoD has defined acts of sexual assault in the Uniform Code of Military Justice (UCMJ). Specifically, Article 120 of 10 U.S.C. 920, "Rape, Sexual Assault, and Other Sexual Misconduct," states the following:

> (c) Aggravated sexual assault. Any person subject to this chapter [10 USCS 801 et seq.] who— (1) causes another person of any age to engage in a sexual act by— (A) threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, grievous bodily harm, or kidnapping); or (B) causing bodily harm; or (2) engages in a sexual act with another person of any age if that other person is substantially incapacitated or substantially incapable of— (A) appraising the nature of the sexual act; (B) declining participation in the sexual act; or (C) communicating unwillingness to engage in the sexual act; is guilty of aggravated sexual assault and shall be punished as a court-martial may direct. (DoD Inspector General, 2010, p. 5)

Unlike sexual harassment, sexual assault invokes the critical elements of threat, fear, and bodily harm that are defined in the UCMJ.

Several high-profile cases have catapulted the issue of sexual assault in the military to the nation's attention. For instance, in the 1991 Tailhook incident, 83 women and seven men reported being sexually assaulted or harassed at a convention of the Tailhook Association, an organization of U.S. Navy pilots. There were subsequent claims that the Navy helped to cover up the allegations and that it was not forceful enough in punishing the offenders. In 1996, the issues again rose to the national agenda when a sergeant was convicted of raping six women and was sentenced to 25 years in prison ("Sergeant Gets 25-Year Term for 18 Rapes of Recruits," 1997). Others were found guilty of lesser offenses. Sexual assault has also been a problem in the military academies. In 2007, a string of reforms were instituted at the military academies after a 2007 DoD survey reported that one in seven female students attending the nation's

military academies had been sexually assaulted since becoming a cadet or midshipman (de Vise, 2005).[18]

The need for clear standards of conduct, and for uniform enforcement of those standards of conduct, has become evident. Given confusion over inconsistencies in sexual assault policies and procedures across the services, DoD made sweeping changes in 2005 by establishing uniform sexual assault policies and procedures that apply to members of all services, wherever they are stationed or deployed (Miles, 2005). Under DoD's Confidentiality Policy, military victims of sexual assault have two reporting options—Restricted Reporting and Unrestricted Reporting. The Restricted Reporting option is available for victims of sexual assault who wish to confidentially report the crime to specifically identified individuals and does not trigger an official investigation of the crime. The Unrestricted Reporting option enables victims of sexual assault to trigger an official investigation of the crime.[19] Both reporting options provide medical treatment and counseling to victims.

*Foreign Militaries Have Used Broad Sexual Harassment and Sexual Assault Policies to Combat Harassment and Violence Against Gay Men and Lesbians.* Some are concerned that issues of sexual harassment and violence may arise against gay men and lesbians if they are allowed to serve without restriction. Our discussions with personnel from foreign militaries indicate that, rather than developing specific policies for gay men and lesbians, these militaries use broad sexual harassment policies to combat harassment and violence against gay men and lesbians. Some members of foreign militaries indicated that sexual harassment against women remained a much stronger concern than anything related to sexual orientation.

## Insights That May Inform the Process of Allowing Gay Men and Lesbians to Serve Without Restriction

While some in the United States have raised similar concerns regarding the integration of women and the process of allowing gay individuals to serve without restriction, our analysis indicates that the two cases are more dissimilar than similar and that, in many ways, the process of allowing gay men and lesbians to serve is likely to be easier than the integration of women. Three main insights emerged from our analyses that may inform the process of allowing gay men and lesbians to serve without restriction in the military: (1) Some U.S. service members in our focus groups cited challenges associ-

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[18]   The *DoD Annual Report on Sexual Harassment and Violence at the United States Military Service Academies for Academic Program Year (APY) 2008–2009* reported that the aggregate number of reports of sexual assault for all three military service academies had decreased since APY 2006–2007, with the number of total reports decreasing from 40 in 2006–2007 to 34 in 2007–2008 and to 25 in 2008–2009. However, it remains unclear whether the incidence and prevalence of sexual assault has also decreased. See DoD, 2009.

[19]   See MyDuty.mil, undated, for more information.

ated with the integration of women in the military and expressed worry that the process of allowing gay individuals to serve would be similarly challenging; (2) however, in our discussions with personnel from foreign militaries, they cited more difficulties integrating women into their militaries than were experienced when allowing gay men and lesbians to serve without restriction; and (3) some service members have expressed concerns regarding the impact of women, gay men, and lesbians on unit cohesion and military readiness in the U.S. military, but our analysis indicates that the expansion of women into combat roles did not have a negative impact on unit cohesion or military readiness. We discuss each of these insights below.

**Challenges Cited in Focus Group Discussions with U.S. Military Personnel**

When discussing diversity challenges, participants in our focus group discussions with U.S. military personnel almost always identified more problems caused by gender than by race, ethnicity, religion, or culture, and many view the challenges caused by the integration of women in the military as more complex and serious.[20] For instance, both men and women expressed concerns about inappropriate relationships, as well as fraternization and favoritism based on sexual attraction. In addition, both men and women voiced concerns about sexual harassment and sexual assault. Several women reported experiencing a sexually hostile work environment at some point in their careers, and several also reported knowing women who have experienced sexual assault. Men often noted that rules are unclear and that they feel like they have to be careful around women because they are concerned that their behavior might be misinterpreted as sexual or sexist.

In many cases, participants in these focus groups directly linked their concerns about the process of allowing gay men and lesbians to serve without restriction with the challenges associated with the integration of women. For instance, some participants were concerned that they might get in trouble for disciplining gay service members—creating a "walking-on-eggshells environment"—or that there will be a flood of new complaints either by or against gay men and lesbians that will require command attention. In many respects, the process of allowing gay men and lesbians to serve without restriction is seen as potentially causing problems similar to those associated with the integration of women (e.g., harassment, favoritism, flirting, interference with male bonding).

Participants also discussed problems associated with differential treatment of men and women. Men often mentioned the unfairness of having different physical fitness test standards for men and women. Women were generally aware of this negative perception, and several said that they felt that they were constantly required to prove that they were just as good as men. Therefore, they felt that they had to work harder than men—or perform better than men—in order to get the same level of respect.

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[20] For the complete analysis of the findings from the focus group discussions, see Chapter Eight.

Some men were also concerned about the negative effects of pregnancy and maternity leave on unit performance, as well as the deliberate use of pregnancy to get out of deployments or other undesirable duty. Some women did acknowledge that pregnancy causes problems for others in their unit.

Participants often cited good leadership as important for successfully managing diversity in the military. However, there was a wide range of opinions about what good leadership looks like when addressing these problems. Some effective leaders engage in close and personal monitoring of subordinates, intervening in problematic personal situations and mentoring individuals. Other effective leaders use an approach that focuses more tightly on job performance, emphasizing that service members should "leave personal issues at home."

### Personnel from Foreign Militaries Cited More Difficulties Integrating Women Than When Allowing Gay Men and Lesbians to Serve Without Restriction

Our analysis of the experience of foreign militaries indicates that, prior to the decision to allow gay men and lesbians to serve without restriction in their militaries, their service members echoed some of the concerns that we heard in our focus group discussions with U.S. service members. For instance, our discussions with personnel from foreign militaries indicated that their service members expressed concerns prior to allowing gay individuals to serve without restrictions in their militaries (e.g., harassment, favoritism, flirting, interference with male bonding). However, those concerns were never realized during or after the process of allowing gay men and lesbians to serve without restriction. For example, we found that in Germany all military personnel have the right to file complaints of any sort with the independent Parliamentary Commissioner for the Armed Forces (PC). Out of approximately 60,000 complaints that the PC has received since the policy to allow gay men and lesbians to serve without restriction was implemented in 2000, only 50 have involved sexual orientation.

We also found that when these foreign militaries actually went about allowing gay men and lesbians to serve without restriction, they found that it was easier and less complex than the process of integrating women.[21] Our research found that Canada, Germany, and the United Kingdom were significantly expanding opportunities for women in their militaries around the same time that they changed their policies on sexual orientation. Interviews with defense officials and serving personnel in these countries all indicated that gender integration has been far more difficult than the process of allowing gay men and lesbians to serve without restriction. This experience reinforces the unique issues associated with integrating women into the military.

When women were integrated into some foreign militaries, they required special accommodations, such as separate facilities, separate physical fitness standards, and

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[21] For the complete analysis of the findings from the discussions with personnel from foreign militaries, see Chapter Ten.

things as mundane as separate uniform standards. In addition, new policies related to sexual conduct, fraternization, and sexual harassment needed to be developed. Gay men and lesbians, on the other hand, were integrated with no special accommodations and were incorporated into existing policies, including nondiscrimination policies and sexual harassment policies.

For instance, every time women were allowed to serve in a new role in the Canadian military, such as in combat units or on submarines, there were complaints and concerns about equity and reconfiguring facilities. Even today, harassment incidents between men and women occur regularly, and these incidents are perceived as a far greater threat to unit effectiveness than any issue involving gay men or lesbians. Some of the people we met with speculated that the challenges of integrating women into the Canadian military may have unintentionally facilitated the process of allowing gay men and lesbians to serve without restriction, since they posed very few problems in comparison.

Similarly, integrating women has been perceived by some in the German military to be much more difficult than allowing gay men and lesbians to serve without restriction. Some German personnel speculated that integrating women promoted sensitivity to issues of sexuality in general and that it was easier for the military to go through both of these big policy changes at the same time rather than separately.

## The Impact of Women on Military Readiness and Cohesion

This expansion of the role of women in the military caused some to warn that "an accumulation of problems will have a devastating impact on combat readiness, unit cohesion and military effectiveness" (Presidential Commission on the Assignment of Women in the Armed Forces, 1992b, p. 48). We found that a number of studies indicated that these concerns about the detrimental impact of women on military readiness and cohesion did not materialize.

In 1993, GAO visited ten units, which had both men and women assigned to them, after their return from deployment to the Persian Gulf War. GAO found that gender was not generally identified as a component or determinant of cohesion, and most respondents considered bonding in mixed units to be as good as, and sometimes better than, in single-gender units (U.S. General Accounting Office, 1993).

In 1997, RAND was asked to assess the impact of the watershed policy changes in the early and mid-1990s on readiness, cohesion, and morale. The RAND study found that the integration of women had not had a major effect on readiness, cohesion, or morale (Harrell and Miller, 1997). In the units that RAND studied, neither gender issues nor the presence of women was perceived to have a significant impact on readiness (Harrell and Miller, 1997, p. 34). The study also found that divisions caused by gender were minimal or invisible in units with high cohesion. Any divisions that may have been caused by gender were minimized or invisible in units with high cohesion. Gender was only an issue in units characterized as "divided into conflicting groups,

and then it took second place to divisions along the lines of work groups or, within work groups, along the lines of rank" (Harrell and Miller, 1997, p. 66). Lastly, the study found that "gender is one of many issues that affect morale, but it is not one of the primary factors influencing morale" (Harrell and Miller, 1997, p. 69).[22]

Some service members are expressing the same sorts of concerns regarding the negative impact of gay men and lesbians on unit cohesion and military readiness. However, the studies mentioned above reinforce the fact that diversity may have some impact on social cohesion (because some members may be uncomfortable with a particular individual or group), but it does not necessarily have a negative impact on task cohesion. People do not necessarily have to like the people with whom they work in order to do a job well.[23]

## Summary

Our analysis of the history of women in the military and the issues surrounding their service in the military indicates that the experience of women is not likely to be a good analogue to the process of allowing gay men and lesbians to serve without restriction. Women have always been a distinct and separate class in the military, and the rationales for not allowing them to participate in certain assignments, positions, and roles in the military (e.g., women should be protected from combat, women are not physically capable of combat tasks) are unique. The physical differences between men and women have necessitated the establishment of specific rules for women (e.g., uniform standards), further differentiating men from women. These same rationales have not been used to restrict the participation of gay men in the military.

While some service members have raised similar concerns regarding the integration of women and the process of allowing gay men and lesbians to serve without restriction, our analysis indicates that those concerns are probably not warranted and that, in many ways, the process of allowing gay men and lesbians to serve without restriction is likely to be easier than the integration of women. Three main insights emerge from our analyses that may inform the process of allowing gay men and lesbians to serve without restriction. First, our focus group discussions with military personnel revealed that service members in the United States are concerned that allowing gay men and lesbians to serve without restriction will cause problems similar to those associated with the integration of women (e.g., harassment, favoritism, flirting, interference with male bonding). Our discussions with personnel from foreign mili-

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[22]  Put in terms of the distinctions made between task and social cohesion, as discussed in Chapter Five, the presence of women may have some impact on social cohesion (because some members may be uncomfortable with a particular individual or group), but it does not necessarily have a negative impact on task cohesion.

[23]  For a comprehensive examination of the concerns regarding the potential negative impact of gay service members on unit cohesion and military readiness, see Chapter Five.

taries indicated that while some of their service members expressed similar concerns prior to allowing gay individuals to serve without restriction in their militaries, those concerns were never realized during or after the process of allowing gay individuals to serve without restriction. Second, the personnel from foreign militaries with whom we spoke found the integration of women to be much more difficult and complex than the process of allowing gay men and lesbians to serve without restriction, thus reinforcing the unique challenges associated with integrating women into the military. Third, while some have expressed concerns about the negative impact of gay men and lesbians on unit cohesion and military readiness in the United States, studies indicate that the expansion of women's roles in the military has not had a negative impact on unit cohesion and military readiness and that increased diversity can be managed successfully.

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