



FOR IMMEDIATE RELEASE

Contact: Indra Lusero, Assistant Director, 303-902-9402, indralusero@palmcenter.ucsb.edu

AS MORE INTELLIGENCE AGENTS WORK WITH MILITARY PERSONNEL, SCHOLARS QUESTION RATIONALE FOR PENTAGON'S GAY BAN CIA May be Model for Loosening Restrictions on Gay Soldiers

SANTA BARBARA, CA, July 15, 2002 - With the continued prosecution of America's war against terrorism, the presence of non-uniformed intelligence agents in combat situations is raising new questions about the rationale for the military's ban on openly gay soldiers. In interviews conducted recently by the Center for the Study of Sexual Minorities in the Military at the University of California, Santa Barbara, experts on intelligence and military personnel issues said that the war against terrorism has placed intelligence officers – who are not governed by the Pentagon's "don't ask, don't tell" policy – in paramilitary environments. Some analysts have consequently begun to ask why, if intelligence combatants are not fired for revealing their homosexuality, gay soldiers are still drummed out if their sexual orientation becomes known.

"We have our policy, you'll need to talk to [the intelligence agencies] about theirs," said Lt. Col. James Cassella, a Pentagon spokesman, when asked to explain the military's restrictions on openly gay soldiers. He said that, though "a service member's sexual orientation is a personal and private matter," the 1993 federal statute barring openly gay men and women from serving in the armed forces had "determined that homosexual conduct is incompatible with military service."

Though uniformed personnel have always served in intelligence agencies, many of the highly specialized agents currently conducting logistical, training and intelligence support in Afghanistan are not uniformed soldiers. The most highly publicized of these was Johnny Michael Spann, a 32-year-old CIA officer who became the first American casualty since the U.S. began its bombing campaign last fall. The New York Times reported this weekend that "never before have the traditionally independent military and law enforcement organizations worked so much in concert."

Experts said there were both similarities and differences between intelligence and military operations. R. James Woolsey, the director of the CIA from 1993 to 1995, said that, because the U.S. is engaged in a war in the field against terrorism, "there are going to be a few more paramilitary people in the CIA than there were in the early 1990s." But he distinguished between the organizational structure of the CIA and that of the uniformed services. "Overall," he said, "the agency does not work in small, single-



sex groups who are out together for a long period of time in which unit cohesion is an issue.” Woolsey explained that the concern for the CIA regarding gay and lesbian agents was not unit cohesion, which is the rationale for the ban among uniformed soldiers, but blackmail. During an era when most gays and lesbians were not public about their sexuality, their secret, it was argued, might give enemies leverage in obtaining classified information. “In these days and times,” however, “now that people admit” their sexual orientation, that rationale is history, Woolsey said. He recalled that, even when he served, “as far as I was concerned there was no basis at all to discriminate against gays and lesbians in the CIA. It’s just not a problem for the CIA because of the change in openness about gays over the last generation.” He concluded that, “in these times, it’s ridiculous to suggest that [being gay] is something that would subject someone to blackmail. I see no reason why the CIA should discriminate against gays at all.”

David Rudgers, a 22-year veteran of the CIA, and author of *Creating the Secret State*, said that the war against terrorism has revived the “covert cowboys” who “are often way out there in the fringes of things.” After the Cold War ended, he explained, the army increasingly took military roles away from the CIA by conducting “sub-limited warfare” through special forces of its own. But the current war, Rudgers said, “has enabled the CIA to build up its old military cadres a bit.”

Rudgers said the military’s attitude toward gays and lesbians is rooted more in its traditional machismo than in a genuine concern for the combat performance of the armed services. “A lot of this is just hostility to an uncomfortable idea,” he said. “The male ego is not a hardy perennial; it’s a very delicate flower.” He added that out in the field, “these things don’t really matter because you’re thrown together and everyone has to work together for common survival. What matters is if the man beside you is a good shot. It’s when you get back to the barracks and you have too much time on your hands” that antagonism toward sexual minorities surfaces.

James Bamford, a visiting professor at the Goldman School of Public Policy, University of California, Berkeley, and author of *The Puzzle Palace* and *Body of Secrets*, said the CIA has an entire clandestine service which trains very much like the military. “They live in close quarters, they train to do covert activities, and so on. To that degree, they work in a somewhat paramilitary environment,” he said. Agents in covert operations of the CIA, he added, sometimes work in the same foxholes with military personnel on the frontlines.

According to Bamford, “there doesn’t seem to be any problem with the intelligence offices accepting gays.” He added that “I’ve never thought it was very rational to keep them out of intelligence” in the first place. He noted that the lifting of the gay bans in the intelligence communities could serve as a precedent for the relaxing of gay exclusion rules in the military. “Before, there had always been these



worries over compromising classified relationships,” he said. “Now, they’ve found nothing to point to. They have a lot of employees now who are gay in intelligence and who are working out well.”

According to Aaron Belkin, Director of the Center for the Study of Sexual Minorities in the Military at the University of California, Santa Barbara, the presence of intelligence officers – who are technically allowed to be openly gay – on the battlefield together with uniformed personnel pokes holes in the military’s rationale for prohibiting openly gay soldiers from serving. “If the CIA can tolerate openly gay employees in combat situations,” Belkin said, “Why can’t the Pentagon?”

Since 1995, when President Clinton signed an executive order prohibiting the denial of security clearances “on the basis of the sexual orientation of the employee,” the CIA, NSA and FBI have not forbidden openly gay people from joining their organizations, as the Pentagon does. Since then, employees at both the CIA and the NSA have organized official gay and lesbian groups that meet openly, often on the organizations’ premises. In 2000, the CIA held a gay pride celebration at its Langley headquarters, designed to reflect the agency’s positive attitude toward sexual minorities.

“The Pentagon continues to insist that homosexuality is incompatible with military service,” said Belkin, “but their presence in the current campaign is making that assertion harder and harder to support.”

The Center for the Study of Sexual Minorities in the Military is an official research unit of the University of California, Santa Barbara. The Center is governed by a distinguished board of advisors including the Honorable Lawrence J. Korb of the Council on Foreign Relations, Honorable Coit Blacker of Stanford University and Professor Janet Halley of Harvard Law School. Its mission is to promote the study of gays, lesbians, and other sexual minorities in the armed forces.