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**GENDER DISCRIMINATION IN THE
MILITARY**

HEARINGS

BEFORE THE

MILITARY PERSONNEL AND COMPENSATION
SUBCOMMITTEE

AND THE

DEFENSE POLICY PANEL

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

SECOND SESSION

HEARINGS HELD
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GENDER DISCRIMINATION IN THE MILITARY

HOUSE OF REPRESENTATIVES, COMMITTEE ON ARMED SERVICES, MILITARY PERSONNEL AND COMPENSATION SUBCOMMITTEE AND THE DEFENSE POLICY PANEL, Washington, DC, Wednesday, July 29, 1992.

The subcommittee and the panel met, pursuant to call, at 10:05 a.m., in room 2118, Rayburn House Office Building, Hon. Les Aspin (chairman of the panel) presiding.

OPENING STATEMENT OF HON. LES ASPIN, A REPRESENTATIVE FROM WISCONSIN, CHAIRMAN, DEFENSE POLICY PANEL

The CHAIRMAN. The meeting will come to order.

I think we had better get started because we have a good hearing here this morning. We are still waiting for people coming from the Republican side because there was a Republican Conference this morning. We expect them to show up any minute.

Today, the Defense Policy Panel and the Personnel Subcommittee take up an issue now prominent in American society and in the American military: sexual harassment and discrimination. The country is acknowledging these troubles exist and is increasingly willing to confront them.

This is not the first time the military has addressed this difficult social problem. In the last 20 years, the services have tackled racial discrimination and drug abuse, and they have tackled them very successfully. At different times, racial unrest and drug abuse were so serious that they prevented the Armed Forces from accomplishing a military mission.

Today, the military is one of, if not the, most thoroughly integrated institutions in American society. Today, drug abuse is less than 1 percent across all services. This morning's hearings will review the process by which the military addressed racial discrimination and ask how significant changes in military behavior and culture were accomplished. We will then determine which lessons learned from this experience can be applied to sexual harassment and gender discrimination.

We are fortunate to have a very knowledgeable panel of witnesses with us today. They include Adm. Elmo Zumwalt, Chief of Naval Operations from 1970 to 1974, who was responsible for inaugurating and implementing the Navy's race relations program; the Honorable Roger Kelley, Assistant Secretary of Defense from 1969 to 1973, who developed departmental policies to improve race relations and increase the number of women in the military; Dr. Edwin Dorn, Senior Staff Member at The Brookings Institution and an expert on military personnel problems and policy; and Maj. Gen.

women in the Military: the Unfinished Revolution.

Before we begin to hear from the panel, I would like to call on the Chairman of the Personnel Subcommittee, Mrs. Beverly Byron, or whatever comments she might make.

STATEMENT OF HON. BEVERLY B. BYRON, A REPRESENTATIVE FROM MARYLAND, CHAIRMAN, MILITARY PERSONNEL AND COMPENSATION SUBCOMMITTEE

Mrs. BYRON. Thank you, Mr. Chairman. I am afraid my comments may be a little lengthy, but I think they are extremely important.

Up to this point, the Nation has been given little opportunity to consider sexual harassment in the military outside of the context of an event called Tailhook. Most recently, the Army disclosed that there were rapes, sexual assaults within the ranks during Operation Desert Storm. These are indeed most disturbing symptoms, but they have not been the only evidence of sexual harassment we have encountered over the years.

In 1987 and 1988, hearings by my subcommittee focused on eliminating sexual harassment and abusive conditions encountered by representatives during the swing through Navy and Marine Corps ships and bases in the Far East. The recommendations emerging from those hearings were supposed to be the final answer that would prevent such conditions from reoccurring.

In 1989, the handcuffing of Midshipman Gwen Dreyer at the Naval Academy highlighted the active resistance to the presence of women in all service academies.

In 1990, the Naval Training Center in Orlando experienced a crisis where sexual assault and fraternization by drill instructors reached epidemic proportions.

So today is the day we stop to look at the symptoms and start regaining the improving of sexual attitudes that existed throughout the armed services.

We have learned much about sexual harassment within the military in recent weeks. It has given us a valuable insight into the kind of fixes that will work in the long run.

Leadership commitment to change and an uncompromising punishment of violators were the two keys to success in overcoming racial discrimination and drug abuse in the armed services. Both will be essential to any effort to eliminate sexual harassment.

While I do not question that sexual harassment is a problem within the military that we can no longer tolerate in any form, I want to recognize that the vast majority of naval officers, and officers and enlisted personnel in all the services, are sensitive and rational people who would have nothing to do with that Tailhook outlet. For these people, the current guidance and environment is enough.

Not everyone reacts to the same policies in the same way. The services need to turn up the heat on sexual harassment to ensure everyone gets the message that a zero toleration is the only acceptable standard.

I don't think we can lose sight that many good and honorable young men and women in the military are serving today. We must

not lose sight that the quality of individuals that naval aviation requires cannot be lost. Flying a war plane off of a carrier is an unique, challenging experience, and it demands uniquely qualified individuals.

I think we can all understand that not every family practitioner physician is qualified to be a neurosurgeon or a heart surgeon. The same principles have to apply in aviation. Not every single pilot is cut out to be in naval aviation. In the course of requiring people to live up to standards, we must not implicate the total aviation community—we cannot alienate the top quality people that make that system work.

If there are people in the military who do not want to live by the standards, we need to remove them from the Armed Forces, regardless of their rank or position. We must strike a balance by cutting out those who will not live by the rules, and we must retain the quality individuals we need—competent, aggressive warriors who can respect fellow officers, regardless of sex.

Such respect must not be conditioned on the role the individual plays. We must not accept the premise that repeal of the combat exclusion for women is the only path to eliminating sexual harassment. Failing to treat people with respect is misconduct, pure and simple.

No one is exempt. No one must be allowed to think even for a second that he or she is above this very basic requirement.

Women already play a very critical role in the defense of America. They are deserving of the immediate protection from the thugs who brought us Tailhook.

So today we are privileged to hear testimony from a very distinguished panel of witnesses. Mr. Chairman, I am confident we will learn a great deal about what needs to be done to bring a lasting solution to the sexual harassment problem we are now finding in our military.

The CHAIRMAN. Thank you, Beverly.

Let me ask unanimous consent that we will submit for the record any statements from the Republican side when they arrive. I know Congressman Bateman has a statement. Perhaps Congressman Dickinson, too. Also, any opening statements will be accepted by unanimous consent.

PREPARED STATEMENT OF HON. PATRICIA SCHROEDER, A REPRESENTATIVE FROM COLORADO

Mr. Chairman, I am pleased that the committee is holding hearings on sexual harassment and assault in the military generated by the Tailhook incident, something Mrs. Boxer and I requested in May. I want to thank you, Mr. Chairman and Chairman Byron, for beginning these important hearings.

Before we begin, I want to address one issue and take it off the table. Last week, after the *Army Times* reported numerous cases of rape and sexual assault during Desert Storm, some began suggesting that these sexual assaults prove that women shouldn't be in the military, that men cannot work with women without breaking down into assault, and the obvious solution is to eliminate the source—women.

This argument is outrageous. Congress had made the policy choice to integrate women into the military, with the removal of the restrictions on women in combat being the latest step. Instead of throwing up their hands and saying that women shouldn't be in the military because they can't solve the problem of sexual harassment and assault, the military has an absolute duty to see that women are fully integrated into all aspects of the military, and that they can participate without fear of sexual harassment and assault.

matic change like the one we saw in 1972 in the racial situation within the military community, and also on the drug problem in 1982. When we look back, we can say that in 1992, it was the Department of Defense and the four chiefs of the military who came before this committee and testified that they are willing to make tough choices; they have the stomachs for this difficult action; and the individuals they have serving under their command will understand that we have a gender neutral service and they will be treated as such.

Let me thank each and every one of you for participating today. This is not easy. It is a tough subject. It is difficult; but it is the right track we are on today.

So thank you very much.

General McPeak, I have a question for you which I will submit for the record. It has to do with our drawdown and whether we are looking more at drawing down more female members than we are their male counterparts.

General McPEAK. Absolutely not.

Mrs. BYRON. I know what your answer is, but for the record, I need to get that answered in writing.

Mrs. BYRON. Thank you all very much.

[Whereupon, at 1:30 p.m., the subcommittee and panel were adjourned.]

[The following questions were submitted for the record:]

GENDER DISCRIMINATION IN THE MILITARY

Separation programs for drawing down the Army are not targeted at race or gender. Drawdown is a process dealing with force structure and unit composition, not individuals or groups of people.

Given current accession trends and retention behaviors, we will not see a decrease in representation of females.

DRAWDOWN FEMALE/MALE MEMBERS

The female selection rate for involuntary programs is below the overall selection rate. Voluntary separation programs are on a first-come, first-serve basis and women are volunteering for separation at a higher rate than males.

THE ARMY WEIGHT CONTROL PROGRAM

Mrs. BYRON. Perhaps the other service chiefs can assure us that the weight standards for women are not distorted as they are in the Air Force?

General SULLIVAN. In May 1991, the Army revised its body fat standards for women. The revision was instituted as a result of research conducted at the U.S. Army Research Institute of Environmental Medicine (USARIEM). As of 3 May 1991, the maximum allowable percent body fat standards for females was increased 2 percent in all age categories.

The current standards hold 18-year-old females to 30 percent body fat and 18-year-old males to 20 percent body fat for retention purposes. These factors allow for weight/percent body fat gains with age, and by age 40, the corresponding values are 36 percent body fat and 26 percent body fat for females and males, respectively.

SEXUAL HARASSMENT COMPLAINT PROCEDURES

Mr. RAY. Could each of you walk us through the procedure that begins when an individual reports an instance of sexual harassment.

General SULLIVAN. The Army has many avenues for redress of grievances. For minor incidents, resolving the issue satisfactorily between the parties involved, on the spot, is the preferred method of resolution. Some soldiers are able to take care of their problems in this manner. Soldiers can also present their grievances to their first line supervisor or anyone in the chain of command. Often, the complaint can be resolved informally through performance counseling, training or some adminis-

trative sanction. If the unit commander or the complainant thinks it necessary, incident can be referred to a higher commander and that process can be repeated until the complaint is resolved. Commanders are responsible for resolving sex harassment complaints. They must ensure a thorough inquiry is completed and complainant is advised of the outcome. There is no mandatory requirement to close the case's disposition to anyone other than the complainant. If the complainant's allegation is against the chain of command, or he or she does not wish to go to the chain of command for whatever reason, the complainant can present the incident to the Equal Opportunity Advisor or the Inspector General (IG).

The Equal Opportunity Advisor is the commander's primary "expert" on equal opportunity matters. Part of his or her mission may be investigating allegations of sexual harassment. Advisors are specifically trained to recognize, assess, and recommend actions to counter sexual harassment or other types of discriminatory behavior. The Equal Opportunity Advisor conducts an informal inquiry into the allegation raised by a complainant and advises the commander on the course(s) of action that will best resolve the complaint. If, during the informal inquiry, the Equal Opportunity Advisor determines a formal investigation is needed, due to criminal behavior or other breaches of conduct, his or her inquiry stops. A recommendation is made to the commander to direct other action, either an Army Regulation 15-6 investigation or the administration of Military Justice.

Allegations of sexual harassment which may involve serious criminal acts, such as indecent assault or rape, are referred to the Army Criminal Investigation Command for a formal investigation. The results of these investigations are provided to the appropriate commander or supervisor for action.

The Inspector General also has the authority to conduct inquiries into allegations of sexual harassment. The IG provides the results of the inquiry to the commander and assists the commander in identifying any systemic issues. If warranted, the IG may be empowered to conduct formal investigations that include the taking of sworn statements for the record.

There are additional avenues a soldier may use to report complaints of sexual harassment. Soldiers may feel more comfortable with using the installation's Crisis Hotline, the Chaplain, the Military Police, medical mental health counselors, or JAG lawyer.

PROCEDURES FOR TRACKING COMPLAINTS

Mr. RAY. I would appreciate it if each of you would comment on how your service is tracking the complaints that are surfacing?

General SULLIVAN. There is no system currently in place that tracks each and every incidence of sexual harassment. If someone is sexually harassed and takes care of the problem on the spot, or uses the chain of command to resolve the issue at this "lowest level," that incident would not be tracked. If the complainant, for any reason or another, chose not to get help from the chain of command, he or she could go to the Equal opportunity Advisor (EOA) or Inspector General (IG) to report the complaint. The complaint now enters a system where it can be tracked.

Commanders and heads of staff agencies Army wide report the number of sexual harassment complaints processed by Equal Opportunity Advisors to its major command (MACOM) headquarters. These local reports are consolidated by the supporting MACOM and provided to Department of the Army (DA) on a quarterly basis. Additionally, a fiscal year rollup of this information is provided in the MACOM Annual Narrative and Statistical Report which reports on its equal opportunity goal achievement. Headquarters, Department of the Army includes the total number of complaints processed for the year in its annual Military Equal Opportunity Assessment (MEOA). This assessment is then reviewed at DA level for policy and program implications, and provided to commanders in the field to assist them in planning strategies and structuring training or other fixes to work on preventing sexual harassment.

The Inspector General has an automated system that allows for tracking of action requests. Any complaint of sexual harassment handled through the Inspector General Action Request System (IGARS) is coded to make it easily identifiable as sexual harassment. An Inspector General can track a complaint by entering the name of the person who made the allegation. If the complainant has requested to remain anonymous, the complaint is generically titled to protect the privacy of the individual and is trackable only through the code.

Because the system is computerized, it allows easy access in determining the status of a complaint, provided one has the name of the complainant. The number of complaints reported to the Inspector General is tracked.

appearance goals.

The weight and body fat standards are gender and age specific. Females tend to carry more body fat than males which is hormonally driven, and both females and males tend to a body fat as a part of the aging process. As stated previously, the body fat standards were revised in 1991 which allowed a maximum allowable body fat increase of 2 percent in all female age categories.

Mr. VENTO. How do these standards reflect the needs of the Armed Services, and on what basis do you conclude these standards appropriate to military service?

General SULLIVAN. Research is able to show a relationship between the amount of body fat, muscle mass and the performance of military duty. Research tells us that excess body fat impairs aerobic capacity, in other words, the body's ability to do sustained work. However, due to the wide diversity of military jobs it is extremely difficult to have specific body fat standards for each specific MOS. The Army body fat standards are based on a general level of fitness needed for military duty.

Mr. VENTO. How was the measurement process developed, and how are those who administer such procedures trained to perform this function? I ask this specifically because I was told by the Air Force that "body fat measurements were an administrative function of her organization and not the medical evaluator."

General SULLIVAN. DOD Directive required that the Army develop a body fat content estimate procedure that had an "accuracy" of a correlation coefficient of 0.80 with hydrodensitometry (hydrostatic weigh/underwater weighing, the "gold standard"). The Army sought the simplest procedure that would be least subject to measurement variability, able to be performed by unit personnel (non-medical), and yield the required "accuracy" of 0.80.

The Army Weight Control Program, Army Regulation (AR) 600-9, provides clear, concise, "user friendly" directions on the body fat calculation procedure which does not require medically trained personnel. A medical evaluation is accomplished by health care professionals when the soldier has a medical limitation, is pregnant, or when requested by the unit commander. A medical evaluation is also required for soldiers being considered for separation due to failure to make satisfactory progress in the weight control program.

Mr. VENTO. Why has the measure of body fat been reserved solely for the commanding officer, when it appears to more properly belong to a physician when in doubt?

General SULLIVAN. The Army Weight Control Program is a "commander's program." It is the commander's job to insure that the program is implemented, evaluated, and maintained.

The protocol used to determine a soldier's percent body fat is easily trained and mastered by unit personnel. It does not need a physician's supervision.

A soldier in the weight control program receives a medical evaluation from a physician under the following circumstances: prior to separation from the Army for inability to meet the body fat standard, pregnancy, unsatisfactory progress (3 to 8 pounds of weight loss per month) while in the program, upon request of the soldier's commander, or when a medical limitation is evidenced. The purpose of the medical evaluation is to determine if there is any underlying medical reason why the soldier cannot achieve satisfactory weight loss.

Mr. VENTO. According to an Air Force letter to Congresswoman Byron regarding body fat measurement and standards, "the Air Force Surgeon General (states) there are no physical differences between men and women that cause women to have a higher body fat percentage." According to the University of Minnesota women's health clinic and the Melpomene Institute data, there is anywhere from at least a 5 to 10 percent percentage point physical difference between the genders. On what does the Air Force Surgeon General base his attributed findings?

General SULLIVAN. The Army recognizes that there is typically a 5-10 percent difference in body fat between men and women of comparable age. This difference was considered in the body fat standards in Army Regulation (AR) 600-9.

The Army cannot comment on the assertion pertaining to the Air Force Surgeon General.

Mr. VENTO. What are the percentages of disciplinary action, including discharge, or failure to meet these standards by gender in the services? What is the ratio of men and women in the services?

General SULLIVAN. Soldiers who don't meet the Army's body fat standard are entered into The Weight Control Program. Components of this program include continuous monitoring of progress by the command, and nutritional counseling and medical evaluation by health care personnel. Soldiers enrolled in the program are expected to accomplish safe weight loss, 3 to 8 pounds per month, until they meet the standard. If this does not occur and no medical reason is identified preventing ac-

ceptance progress, they will be processed for administrative separation under the provisions of AR 600-100 (officers) and 600-200 (enlisted). Statistics from fiscal year 1984 through the 2d quarter of fiscal year 1992 demonstrate the following male/female separations for failure to meet the body fat standards:

ENLISTED SEPARATIONS

Year	Number males	Percentage ¹	Number females	Percentage ¹	Percentage females in Army	Percentage males in Army
1984	378	(85)	65	(15)	10	90
1985	405	(86)	65	(14)	10	90
1986	582	(86)	97	(14)	10	90
1987	1,020	(88)	145	(12)	11	89
1988	1,686	(88)	227	(12)	11	89
1989	1,882	(90)	202	(10)	11	89
1990	1,974	(89)	245	(11)	11	89
1991	1,673	(90)	195	(10)	11	89
1992	1,404	(93)	99	(7)	12	88

¹Percentage of total weight control program separations.

WEIGHT MANAGEMENT DISCRIMINATION AGAINST WOMEN

Mr. VENTO. General McPeak, I received a letter from the Air Force last year in reply to my inquiry on the inequitable weight standards for Air Force women. The reply stated that the men's standard was developed directly from weight data on the American male population, but the standards for women were more demanding than the data from the general population would dictate. It was the Air Force view that the higher percentage of body fat in American women was not physiological, but because they are less fitness conscious. In short, American women are fatter than men and must be held to a higher standard until they get their act together. Accordingly, there are proportionately more women on the Air Force weight management program, and more are separated because of weight each year.

I would say the Air Force has taken considerable liberty with scientific data and fairness when establishing female weight standards. I am not sure this doesn't fall under the heading of sexual harassment. What is your view? Can we expect this issue to be reviewed and a more equitable standard established?

General MCPeak. The Air Force weight standards are based on the 1983 Metropolitan Life Insurance tables and findings of the National Institutes of Health. Thus, they are founded on scientific evidence and are set at levels designed to protect our most valuable resource, our people, from the significant health risks which result from having an excessive level of body fat.

Air Force weight standards were reviewed in 1987 and based on the recommendations of a study group made up of representatives of our Surgeon General and Deputy Chief of Staff for Personnel, the body fat standards for women were adjusted upward 2 percent. Certainly, if more scientific data becomes available which demonstrates that Air Force weight standards should be further adjusted, either upward or downward, we will respond appropriately.

SEXUAL HARASSMENT PROCEDURES AND FOLLOW THROUGH

Mr. RAY. Please could you walk us through the procedure that begins when an individual reports an instance of sexual harassment.

General MCPeak. Victims or those knowing victims of sexual harassment may report allegations to any supervisor, commander, social actions or Inspectors General (IG) staff. Officials receiving the allegations must ensure they are referred to appropriate channels for investigation. Commanders at all levels are charged to investigate matters or incidents under their jurisdiction. If an allegation involves criminal misconduct (rape or sexual assault), the official receiving the allegation consults the Staff Judge Advocate for guidance and referral to the Air Force Office of Special Investigations. When a complainant believes the chain of command has not fully resolved the allegations of harassment, the complaint may be filed with the Social Actions Equal Opportunity Office. This office follows the guidance outlined in Air Force Regulation 30-2, Social Actions Program. When a member files a sexual harassment complaint with a military equal opportunity specialist, the member is briefed on complaint procedures and the commander is briefed on the complaint.

...complaint clarification to determine if a reasonable probability exists that Air Force equal opportunity and treatment policy has been violated and this clarification is reviewed by the Staff Judge Advocate. If there is no evidence to support the allegations, the case is closed and the complainant is apprised. If evidence supports further examination, a recommendation for inquiry/investigation is made to the commander, and an inquiry officer is appointed. If the allegation is substantiated by the inquiry, the matter is referred to the commander for corrective action. The complainant is apprised of the results and the case is closed. If the complainant is not satisfied with the outcome of the case, they may utilize the other avenues available to file a complaint. Complaints of harassment may also be surfaced through the IG complaint system at any level of command. The IG Complaints Program outlines policy and procedures for handling complaints for which no other means of redress or appeal exists. Other avenues available to surface equal opportunity complaints include: Article 138 of the Uniform Code of Military Justice, Congressional and High Level Inquiries. Individuals using any channel are advised no member should suffer reprisal action for submitting a complaint. Commanders are responsible to insure members are protected from reprisal.

Mr. RAY. I would appreciate it if you would comment on how your service is tracking the complaints that are surfacing?

General McPEAK. Air Force Social Actions equal opportunity and treatment complaint data are compiled and reported semiannually (April and October) by base Social Actions offices. The reports are forwarded to Major Commands (MAJCOMS) for consolidation which then forward the data to the Air Force Military Personnel Center (AFMPC). The AFMPC compiles all data into the annual USAF Social Actions Program Statistical Summary report. This report is disseminated to OSD, HQ USAF, MAJCOMS, and base-level offices. The data collected includes demographics of complainants and alleged offenders (rank, Air Force Specialty Code, gender, race), number of complaints by type of discrimination (race, gender, color, national origin, ethnicity, sexual harassment and, religion), number of complaints confirmed by type of discrimination, alleged offenders position (supervisor, commander, or co-worker), and actions taken by commanders when discrimination is confirmed (administrative, judicial, or disciplinary).

Mr. RAY. What type of counseling is available for individuals who have been victims of sexual harassment?

General McPEAK. It depends on the needs of the individual. Mental Health offers group and individual counseling for individuals affected by distress or any kind of adjustment disorder. If members have a compelling need or circumstance, they could possibly be referred to a facility off-base.

GRAVITATION OF BLACKS/WOMEN TOWARD CERTAIN BRANCHES OF SERVICE

Mr. FRANKS. It was interesting to hear Admiral Zumwalt and Dr. Dorns review of the history of our racial progress. When I was growing up in Connecticut in the 1960s many blacks unfortunately felt that the Government did not really want blacks in the Navy or the Air Force. Thus most blacks gravitated toward the Army and the Marines. If you agree with this assessment why do you think that happened and how has it changed? Also what made it change? Additionally, are women gravitating toward certain branches and why?

General McPEAK. In the era of the all-volunteer force, blacks comprise 17 percent of the Air Force as compared to 10.8 percent representation in the civilian labor force. The Air Force has been quite successful in recruiting women as they comprise 14 percent of the Air Force while their overall representation in DOD is 10.9 percent. It would be difficult to comment specifically on why women or blacks might gravitate to any one service as each individual has his or her own reasons for choosing service in the Air Force over the other services.

Mr. FRANKS. Should the blame go to the people heading the Navy and the Air Force?

General McPEAK. Past Secretaries and Chiefs of Staff of the Air Force have always supported the successful recruiting policies of the Air Force. The Air Force population contains a greater percentage of blacks than the civilian work force in general. More importantly, the quality of the people in the Air Force illustrates the success of our recruiting policies and programs.

Mr. FRANKS. Has there been a different recruiting strategy for each department that would cause this to happen for blacks and women?

General McPEAK. The Air Force seeks to recruit a representative cross section of the Nation's qualified youth population, regardless of race or gender. We operate

...job placement system that allows people into any career field regardless of sex or race, except those jobs prohibited by the combat exclusion.

WOMEN IN THE MILITARY

Mr. SKELTON. What other countries can we look to that have successfully integrated women in the military?

General McPEAK. Many of our allies have integrated women into their armed forces. I am not in a position to comment on how successfully women have been integrated into these services as each country would have to define the criteria for success based on their mission and objectives.

Mr. SKELTON. Where would you rank the United States military/your service with other countries?

General McPEAK. The U.S. Air Force is the most effective air power in the world and the contributions of women are invaluable. Women comprise 14 percent of the Air Force and are in 97 percent of all job specialties. We are second to none in all areas.

WOMEN IN COMBAT

Mr. SKELTON. What other countries have done away with combat exclusion rules for women?

General McPEAK. Belgium, Norway, Denmark (except in fighters), and Canada (except in submarines).

WEIGHT CONTROL AND WEIGHT MANAGEMENT PROGRAMS

Mr. VENTO. On what clinical information are the weight programs based? That is to say, why were the weight and body fat standards set at the levels they were by gender and age?

General McPEAK. In 1985, the National Institutes of Health determined, based on the findings of a consensus conference on body composition and health, that obesity (defined as fat level posing significant health risk to an individual) could be defined as a body weight for height which exceeded the midpoint for the median frame individual on the 1983 Metropolitan Life Insurance tables by 20 percent. A study by the U.S. Navy Health Research Center developed equations to predict percent fat from height and weight. These equations (that used circumferential measuring) were applied to the 120-percent weight values for each height category. Percent fat values were found to be consistent across all heights for males and females.

Given the above formulas, the Air Force Surgeon General set the height, weight and body fat standards we currently follow. The decision to adjust the percent body fat higher after age 30 was based upon the metabolic and sedentary life style changes that accompany aging.

Mr. VENTO. General McPeak, how do these standards reflect the needs of the Armed Services, and on what basis do you conclude these standards appropriate to military service?

General McPEAK. The Air Force weight program represents years of research in the field of body composition measurement and health. The goals of the Air Force weight program include encouraging an overall healthy lifestyle and improving military appearance and personal readiness. Maintaining body fat standards is medically advised and fat reduction to within recommended standards helps to reduce high blood pressure, improve blood sugar utilization and often decreases excessive blood fats associated with coronary artery disease. Military members must have the physical and mental stamina to deal with the stress of military life while functioning at peak efficiency. Being over the body fat standards can negatively affect flexibility, mobility, and endurance, and thereby impact Air Force readiness. Therefore maintaining one's body fat standards is a vital part of our peacetime preparation for combat readiness.

Mr. VENTO. How was the measurement process developed, and how are those who administer such procedures trained to perform this function? I ask this specifically because I was told by the Air Force that body fat measurements were an administrative function of her organization and not the medical evaluation.

General McPEAK. Development of the body circumferential method of measurement is based on the results of U.S. Navy research and adapted by all four services with circumference measurement sites selected for prediction varying by gender and service. This simple method has been found to estimate body fat within 1 to 2 percent of the value obtained from underwater weighing. The body fat measurement technique we currently use has been compared to hydrostatic weighing and validated to have a .90 or higher correlation when properly performed. The measure-

Since we do not track complaints resolved by individuals or commanders at the local level, there can be a disparity between survey data reflecting exposure to sexual harassment and actual statistical data resulting from complaints processed through the EO/ channels.

COUNSELING FOR VICTIMS

Mr. RAY. What type of counseling is available for individuals who have been victims of sexual harassment?

General SULLIVAN. I would like to point out that one of the primary skills we build on in our leadership training is counseling.

Army leaders are trained to effectively counsel soldiers on personal matters and/or direct them to the appropriate agency that would best meet the individuals' needs. For those soldiers who choose not to use their chain of command, many installations have set up Crisis Hotlines that provide professional counseling on matters of a more sensitive nature. Additionally, many hospitals and clinics have women's support groups and other fora where professional counseling/training is given on a more personal basis, where complainants can discuss the issue with other women who have gone through the same experience, if they so desire.

MINORITIES IN THE MILITARY

Mr. FRANKS. It was interesting to hear Admiral Zumwalt and Dr. Dorn's review of the history of our racial progress. When I was growing up in Connecticut in the 1960s many blacks unfortunately felt that the Government did not really want blacks in the Navy or the Air Force. Thus most blacks gravitated toward the Army and the Marines.

If you agree with that assessment, why do you think that happened and how has it changed? Also what made it change? Additionally, are women gravitating toward certain branches and why?

a. Should the blame go to the people heading the Navy and Air Force, such as the Secretaries?

b. Has there been a different recruiting strategy for each department that would cause this to happen for blacks and for women?

General SULLIVAN. The Youth Attitude Tracking Study (YATS) is the best empiric source for determining service preferences. YATS is administered annually and is used to make statistical inferences about the 16-24 year-old U.S. population.

Questions on the 1990 YATS were designed to measure specific perceptions of the military and individual differences between the services. These questions were not included in the 1991 YATS, but will be included in 1992. Therefore, this analysis uses the results of the 1990 YATS.

YATS establishes the relative importance of various values and perceptions by asking the survey respondent to rate values and perceptions as extremely important, very important, somewhat important, not important, and other.

YATS also measures the respondents' perception of which service is associated with the value and perception. For example, the first question measures the importance of getting money for education. This value was "extremely important" or "very important" to 78.4 percent of the respondents. The survey then asks the respondents which service is associated with the value. In the money for education question, 30 percent of the applicants associated this value with the Army. The following table depicts how the services rated on all the value and perception questions which were rated by the applicants as important (over 60 percent "extremely important" or "very important").

Values and Perceptions:

1. Getting money for education.
2. Leadership skills.
3. Equal opportunity of minorities.
4. Personal freedom.
5. Parental approval.

	1	2	3	4	5
Value and perception:					
Percent responding as important	78	74	86	92	60
Air Force	13	13	9	13	27
Army	30	19	31	22	22
Marine Corps	6	18	5	8	7
Navy	7	8	7	10	13

	1	2	3	4	5
Coast Guard	1	1		2	3
Other	43	40	46	45	28

The table indicates that the Army is the service most associated with the important values of the respondents, except for parental approval where the Army rated second to the Air Force. Of particular significance, the Army overwhelmingly rates as the service with the greatest opportunity for minorities. When the above YATS results were analyzed by age, sex, and race, the results are similar to those obtained from the total population.

Army recruiting strategy is to make all male and female prospects aware of the opportunities the Army offers, and to provide those opportunities to all qualified individuals. The Army recruiting strategy is void of any quotas. However, it does include a 14.8 percent DOD floor for female enlistments in fiscal year 1992.

There are several possible explanations for why the Army is attractive to minorities. There are 250 different job opportunities in the Army, which greatly exceeds the number of job opportunities in the other services. This greater job selection allows the Army to be more attractive to a wider range of the total population. Second, the Army has more enlistment incentives than the other services. A third reason may be that the Southeast has a high proportion of blacks and the Army has a number of large posts located in the region. This may result in the Army being more visible to potential black applicants. A final point is that enlisted minorities in the Army believe more strongly that the Army is preparing them to be successful in the civilian market place.

THE ARMY WEIGHT CONTROL PROGRAM

Mr. VENTO. Mr. Chairman, thank you for the opportunity to address the committee today.

My comments are directed toward the Chiefs of Staff regarding the various Weight Control or Weight Management Programs of the Armed Services. Several Minnesota constituents serving in the Armed Services have contacted my office regarding the weight management programs, and I would like to ask a few questions regarding the evolution, administration and enforcement of such programs.

As an example, the Air Force Weight Management Program impacts a Minnesota constituent in the Air Force who contacted me this past year regarding what she asserts is unfair treatment under this program. After the constituent changed stations, she was asked to report for weight and body fat measurements. While she was under the weight standard, her superior measured her 31 percent body fat, over the 28 percent allowed for her age group.

This constituent questioned the accuracy of this measure, and was sent to an Air Force physician. This doctor used the same test as the commander, and came to the conclusion my constituent measured 37 percent body fat, a 6-point difference. The superior in this case simply chose the figure 34 percent as a good middle ground between the two, and told this constituent that her progress on the program would be measured from that percentage figure.

Over the next few months, with this constituent's service career riding on her progress in the program, she proceeded to lose weight in the program, but her body fat measure continued to fluctuate. The next month she was measured as up 4 percent by her superior, and down 2 percent by the Air Force physician. After some continual and understandable stress, this constituent was referred for stress counseling, and informed her reactions were very normal, considering the arbitrary measures she appeared to face.

During this time, my office was making continuing inquiries in this matter, asking the Air Force how one person can be measured so drastically differently on the same day using the same measuring system. I was told this difference must be from the constituent "tensing her body" during the measurement.

Given this and similar situations in which I have been contacted, I would like to ask the following questions:

On what clinical information are the weight programs based: that is to say, why were the weight and body fat standards set at the levels they were by gender and age?

General SULLIVAN. Since 1982, research has been performed at the United States Army Research Institute of Environmental Medicine (USARIEM) which looked at relationships between percent body fat, age, gender, weight, aerobic capacity, and strength. That research showed a relationship between percent body fat and maximum oxygen up-take (marker for aerobic fitness). Simply stated, excess fat is unde-

ment techniques are written to be administered by anyone and are clearly explained and illustrated in our directives, both unit and medical personnel use the same procedures.

Mr. VENTO. Why has the measure of body fat been reserved solely for the commanding officer, when it appears to more properly belong to a physician when in doubt?

General MCPEAK. The body fat measurement used is designed to be easily administered by nonmedical personnel. Measurement sites are clearly explained and illustrated and written so that anyone can administer body fat measurement. The Surgeon General's role is to medically rule out any pathology that would cause a member's obesity, determine if safe body fat loss can occur, and instruct on proper diets. The decision to place an individual into the weight management program rests solely with the commander.

Mr. VENTO. According to an Air Force letter to Congresswoman Byron regarding body fat measurement and standards, "the Air Force Surgeon General (states) there are no physical differences between men and women that cause women to have a higher body fat percentage." According to the University of Minnesota Women's Health Clinic and the Melpomene Institute data, there is anywhere from at least a 5- to 10-percent point physical difference between the genders. On what does the Air Force Surgeon General base his attributed findings?

General MCPEAK. The 1991 revised Air Force weight management program establishes women's body fat standards at 8 percent higher than those for men. Physical differences (the primary reason) and physiological differences in basal metabolism (the secondary reason) are the main contributors to this difference.

Mr. VENTO. What are the percentages of disciplinary action, including discharge, for failure to meet these standards by gender in the Air Force? What is the ratio of men and women in the Air Force?

General MCPEAK. Individuals who experience unsatisfactory body fat loss periods are administered initially less severe administrative actions such as a letter of counseling, letter of admonishment, or letter of reprimand. As a member continues to experience unsatisfactory body fat loss periods the administrative actions become more severe and include establishing an unfavorable information file, placement on the control roster, and demotion in grade. Only after four periods of unsatisfactory progress and all administrative actions fail, are involuntary separation actions taken. The most recent statistics show 4 percent of females and 2.5 percent of males are in the Weight Management Program (WMP), with a total population of 416,405 male and 70,807 female, of those, 4.7 percent of women and 4.8 percent of men in the WMP are separated for repeated unsatisfactory progress in the program.

WEIGHT STANDARDS FOR WOMEN

Mrs. BYRON. Perhaps the other service chiefs can assure us that the weight standards for women are not distorted as they are in the Air Force?

Admiral KELSO. The weight and body fat standards that are used by the Navy were derived from obesity guidelines set forth by a National Institutes of Health conference on obesity in the early 1980s. These standards were based on males and females in the U.S. population. The Navy's position is that there are gender specific physiological differences in body composition and that the Navy standards are reasonable and fair for all sailors regardless of gender.

Mr. RAY. Did the Tailhook incident consist only of active military or were civilian or retired individuals present?

Admiral KELSO. Ninety-four civilians were interviewed during the course of the NISCOM investigation into incidents of indecent and physical assaults at Tailhook. Twelve of these were victims. The others consisted of hotel staff, Tailhook Association officers, former U.S.N. aviators who were on Active Duty at the time of the Tailhook convention but were released from Active Duty prior to being interviewed, and persons identified as possibly having information of pertinence to the investigation. No civilians were identified as suspects in indecent or physical assaults.

Six retired military persons were interviewed during the course of the investigation. None of the six provided any substantive information, nor were they suspected of any misconduct.

SEXUAL HARASSMENT PROCEDURES AND COUNSELING

Mr. RAY. Could each of you walk us through the procedure that begins when an individual reports an instance of sexual harassment.

Admiral KELSO. There are several ways an individual can report an incident of sexual harassment. Resolving the problem at the lowest level and using the chain of command are strongly recommended whenever possible. This is the general hier-

archy of steps a recipient of sexual harassment (military or civilian) should follow to file an informal complaint:

a. Discuss the incident with the person(s) whose behavior is offensive. Informal action may be easy to correct with increased awareness and may be resolved at the lowest level.

b. If the offensive behavior does not stop, or if circumstances make it impossible to discuss the incident with the harasser, report it to the next senior in the chain of command. Continue up the chain until appropriate action is taken and the problem is resolved.

c. If the chain of command is not responsive or action taken does not resolve the problem, request a hearing with the commanding officer (CO's request must be approved by the next senior in the chain of command).

Military members may submit formal complaints, either against the commanding officer or the harasser. A formal complaint should be filed only if the command is unable to respond adequately to an informal complaint. The two types of formal complaints are:

a. *Redress of Wrong Committed by a Superior. Navy Regulations Article 138.* This type of complaint is filed with the commanding officer. If the resolution is considered unjust, the complainant may file a formal complaint against the commanding officer.

b. *Complaint Against Your Commanding Officer, UCMJ Article 138.* This type of complaint should be prepared with legal assistance and should be submitted to the chain of command to the person exercising general court-martial authority over the commanding officer. The Secretary of the Navy reviews and determines final disposition of Article 138 complaints.

Civilian employees should discuss incidents of sexual harassment with their EEO counselor. To file a complaint, civilian employees should use the formal discrimination procedures under 29 Code of Federal Regulations, Part 1614. Alternatively, civilians may use administrative or negotiated grievance procedures if available.

Military and civilian members also may report incidents of sexual harassment through the chain of command to the Navy Inspector General or another through the Inspector General's Fraud, Waste and Abuse Hotline. No other actions are required before this procedure can be used.

The commanding officer is responsible for investigating sexual harassment complaints thoroughly, fairly and promptly. The commanding officer is also responsible for dealing with harassers and offensive behaviors by administrative, disciplinary or other means he or she deems appropriate.

Mr. RAY. I would appreciate it if each of you would comment on how you are tracking the complaints that are surfacing.

Admiral KELSO. The Naval Inspector General (NIG) receives allegations of sexual harassment primarily from individuals using the Navy Hotline System. To a certain degree, allegations are received from personal interviews during NIG Command inspections and Areas visits. All complaints, including allegations of sexual harassment, are cataloged in a computerized Case Management System (CMIS) and assigned a case number. For tracking and tabulation, each allegation is assigned a problem area code, one of which is sexual harassment. The cases in CMIS are accessed and sorted through a subject and word search routine for reporting purposes. NIG reports all sexual harassment case openings, closings and case dispositions on a monthly basis to the Bureau of Naval Personnel.

Mr. RAY. What type of counseling is available for individuals who have been victims of sexual harassment?

Admiral KELSO. Several types of counseling are available for victims of sexual harassment. The chain of command is available to counsel personnel. One of the ship's biggest responsibilities is counseling their people. If an individual does not feel comfortable using the chain of command, counseling is also available through Equal Opportunity Program Specialists (EOPS) assigned to major command and aircraft carriers. Commanders of shore commands are required to assign a senior petty officer or senior petty officer to assist military personnel in resolving discrimination and sexual harassment problems. This person is required to be trained on equal opportunity/sexual harassment policies and knowledgeable in the processing of complaints. Civilian employees may seek assistance from their local EEO Counselor. Navy Legal Services Offices can provide legal advice or assistance to military personnel in assembling formal complaints.

For counseling related to stress or other problems caused by sexual harassment incidents, numerous resources are available at Family Service Centers, naval hospitals and clinics, chaplains, and legal offices. Civilian employees may also seek assistance from the Employee Assistance Program available through the Human Resources Management Offices (formerly CCPO). Every commanding officer is directly respon-

ensuring that any member of his/her command subjected to any physical or psychological trauma receives immediate and effective support until the issue is resolved.

RACIAL PROGRESS COMPARED TO PROGRESS IN WOMEN'S ISSUES

Mr. FRANKS. It was interesting to hear Admiral Zumwalt and Dr. Dorns review of the history of our racial progress. When I was growing up in Connecticut in the 1960s many blacks unfortunately felt that the Government did not really want blacks in the Navy or the Air Force. Thus most blacks gravitated toward the Army and the Marines. If you agree with that assessment why do you think that happened and how has it changed? Also what made it change? Additionally, are women gravitating toward certain branches and why?

- Should the blame go to the people heading the Navy and Air Force, such as the Secretaries?
- Has there been a different recruiting strategy for each department that would cause this to happen for blacks and for women?

Thank you. With General Powell heading our Armed Forces obviously we have come a long way.

Admiral KELSO. I cannot support the view that the Government did not want blacks in the Navy in the 1960s. In 1963, amidst a general wave of Civil Rights activity, President Kennedy appointed the Gesell Committee to review equal opportunity in the Armed Forces. The committee found that positive steps had been taken. One of its recommendations was to increase the number of black naval officers from the approximately 149 serving in 1964. By 1969, that number had tripled. Several major events contributed to the increase. The Civil Rights Acts of 1964 and 1968 were passed. The Navy's Manual on Equal Opportunity and Treatment of Military Personnel was issued. The Bureau of Naval Personnel established a Minority Recruiting Section and monitored its progress. An Equal Opportunity Assistant to the Chief of Naval Personnel was appointed, and Minority Affairs Officers were assigned to all recruiting staffs. Admittedly, the Navy was slower to integrate than the Army. The Army had its first black general officer before the Navy commissioned its first black officer. One of the reasons people choose a particular service is attributable to role models. In the 1960s, the Navy still didn't have as many black role models as the Army or Marines. But that is different from saying the Government didn't want blacks in the Navy.

Since the advent of the all volunteer force (AVF) in July 1973, the Navy has recruited minorities proportionate to the general population and into all programs. No organization in the country can boast of the success the services have had in recruiting and integrating minorities. We have, likewise, been very successful recruiting women, attaining and exceeding the goals we set for ourselves.

In the late seventies, the Navy implemented the Job Orientation Basics Skills (JOBS) Program to provide entry-level training into technical ratings where a recruit showed an interest and motivation but lacked the educational requirements. This program was designed to enhance the recruiting of minorities and women who were interested in ratings but did not possess the requisite technical skills or education.

In 1987 the Navy expanded its female billet base by assigning women to the Combat Logistics Force (CLF) ships. In fiscal year 1988 the Navy POM showed female force levels reaching 9.6 percent of the enlisted force by fiscal year 1992. The Navy actually achieved a 9.6 percent female force by the end of fiscal year 1989 and by the end of fiscal year 1990 had an enlisted force which was 10 percent female. Based on current law and policy, we expect to maintain a force level of roughly 10 percent female.

Progress toward parity in all billets through a CNO study to determine the impact of termination of the combat exclusion on women in the officer corps is currently underway. The findings and recommendations of this study are due to the Assistant Chief of Naval Operations (Manpower, Personnel, and Training) by 1 September 1992.

WOMEN IN THE MILITARY

Mr. SKELTON. What other countries can we look to that have successfully integrated women in the military? What other major countries?

Admiral KELSO. 13 of the 16 NATO nations have integrated women into their Armed Forces, and 12 of these have women in their Naval Forces. This includes such countries as Great Britain, France, Canada and Germany. The only NATO countries that do not have an integrated Navy are: Portugal, Iceland (which does not have a military force), Italy (which does not have women in the military), and

Spain (which is currently working on an integration policy). Outside of NATO, both Sweden and Australia have women serving in their Naval forces. All of these countries have experienced success in their employment of women and can be held examples to countries just beginning their integration efforts.

Mr. SKELTON. Where would you rank the U.S. military/your service with other countries?

Admiral KELSO. Today the United States is the forerunner in integration women. Women comprise 11.2 percent of the entire U.S. military and 10.1 percent of the Naval Forces. Canada follows close behind with 10.5 percent of their entire military structure being female. The numbers are noticeably smaller for other nations; in Great Britain only 5.9 percent of the military and 5.4 percent of the Naval Forces are composed of women. France's female population makes up only 3.6 percent of the total Armed Forces and 2.3 percent of the Naval Forces.

The Navy's goal is to maximize utilization of women in the Navy commensurate with the law. The National Defense Authorization Act of December 1991 changed the Combat Exclusion Law for aviators and also formed the Presidential Commission on Women in the Armed Forces. Since that time, we have been working closely with the Commission as it examines the role of women in the military. Based on recommendations resulting from the Commission, and any subsequent policy changes, the Navy will continue its leading role in the integration and utilization of women in the Navy.

Mr. SKELTON. What other countries have done away with combat exclusion rules for women?

Admiral KELSO. Out of the 13 NATO countries with women in their Armed Forces, three nations have Combat Exclusion Laws; these nations are France, Germany, and the United States. Four other nations (Netherlands, Great Britain, Greece and Turkey) have a policy limiting women's participation in certain areas of military warfare. Outside of NATO, both the Swiss and Australian Military Forces exist without a Combat Exclusion Law.

WEIGHT STANDARDS FOR WOMEN

Mrs. BYRON. On what clinical information are the weight programs based? They are to say, why were the weight and body fat standards set at the levels they were by gender and age?

Admiral KELSO. A National Institutes of Health sponsored conference on obesity in the early 1980s produced the basis for the Navy's body fat standards for males and females. At this conference, a determination was made that a body weight which was more than 20 percent above the ideal range as specified on height/weight tables represented obesity. Because height/weight tables do not account for body composition, that is, the percentage of body weight composed of lean versus adipose (fat) tissue, a different measure was sought for use in the Navy's system. Researchers at the Naval Health Research Center in San Diego used the 20 percent above ideal weight standard that originated with the NIH and transformed it to a comparable percentage of body fat. The results of this transformation yielded a standard of 22 percent body fat for males and 32 percent body fat, which was lowered to 18 percent, for females. Because the circumference derived body fat assessment that was used in the Navy has an error margin of ± 3.5 percent, the numbers 22 percent for males and 32 percent for females were increased to 26 percent and 36 percent, respectively, to provide a margin of safety against the measurement's inherent error.

The Navy's standards are not indexed by age. Over the militarily relevant age range of 17 years to 50+ years, the decrease in metabolic rate which occurs is significant enough to warrant the allowance of increased body fat as members of the Navy make healthy food choices, dietary discretion and active lifestyles are worthy goals for sailors to pursue throughout life and should be sufficient to overcome minor related decrements in metabolic rate.

Mrs. BYRON. How do these standards reflect the needs of the Armed Services, and on what basis do you conclude these standards appropriate to military service?

Admiral KELSO. There are three issues related to physical fitness, weight/body standards and military service. The first is a readiness issue. There are two measures of readiness. The first is an acceptable level of musculoskeletal strength, endurance and aerobic fitness. These indicators of fitness are measured by the Navy physical readiness test. The second is a health issue and hence, an availability issue. Obesity is often linked to, or is a contributing factor for a number of serious medical conditions including high blood pressure, diabetes and heart disease. From the standpoint of reducing the daily nonavailability rate and its impact on readiness which results from these conditions and the associated health care costs in both Active Duty and retired communities, a program to encourage reduced body