

## DEOMI News Highlights

---

DEOMI News Highlights is a weekly compilation of published items and commentary with focus on equal opportunity, equal employment opportunity, diversity, culture, and human relations issues. The DEOMI News Highlights is a management tool intended to serve the informational needs of equity professionals and senior DOD officials in the continuing assessment of defense policies, programs, and actions. Further reproduction or redistribution for private use or gain is subject to original copyright restrictions.

### **SECNAV: All Navy jobs should be open to women – *Calls for integrating attack subs; hesitant on SEAL Teams* [Sam Fellman, *Navy Times*, 18 April 2011]**

- The Navy Department's top civilian said he believes every community should be open to women, including attack submarine crews and – if they can qualify – SEAL Teams
- But although he's against any gender ban in the service, Navy Secretary Ray Mabus stopped short of a full-throated endorsement of integrating women into every part of the naval special warfare community saying, "the only reason I'm being a little hesitant for the SEALs is some of the physical things you've got to go through to be a SEAL"
- An advisory panel led by senior enlisted and officers from each service recently called for opening all military specialties to women

[SECNAV: All Navy jobs should be open to women](#)

### **France bans face-covering Islamic veil [Camille Rustici, *Associated Press/Forbes*, 11 April 2011]**

- France, on Monday, became the first country to ban the veils anywhere in public
- French President Nicolas Sarkozy set the wheels in motion for the ban nearly two years ago, saying the veils imprison women and contradict this secular nations' values of dignity and equality
- Moderate Muslim leaders in France and elsewhere agree that Islam does not require women to cover their faces, but many are uncomfortable with banning the veil; religious leaders have denounced the measure, and are struggling with what to advise the faithful.

[France bans face-covering Islamic veil](#)

### **Bill to Allow Sex Assault Victims to Transfer [Bryant Jordan, *Militay.com*, 13 April 2011]**

- Military victims of sexual assault by a fellow service member will have the right to transfer to another base under legislation inspired, in part, by the 2007 murder of a fellow Marine; the bill is proposed by Rep. Mike Turner, R-Ohio and cosponsor Rep. Niki Tsongas, D-Mass who hope to include the bill in the current year's National Defense Authorization Act
- The Turner-Tsongas bill would require the services to save records of sexual assault complaints for 100 years and provide service members with lifetime access to the documents
- A key provision of the bill would give victims access to military lawyers even if they are submitting a so-called restricted report, in which the commander is not notified and no criminal investigation is launched; they receive this access now only if they file an unrestricted report

[Bill to Allow Sex Assault Victims to Transfer](#)

# DEOMI News Highlights

---

## **Discrimination**

[Pentagon lawyer regrets Seminole-al Qaeda analogy](#)

## **Diversity**

[“Fox and Friends” Roast Crayola’s Multicultural Markers](#)

## **Human Relations**

[Indian Law and Order Panel Has First Meeting in NM](#)

## **Miscellaneous**

[Snowe calls for new limits on protesters at funerals](#)  
[Critical shortage of neurologists for troops in Iraq and Afghanistan](#)  
[McChrystal to Lead Program for Military Families](#)  
[More Americans leaving the workforce](#)  
[SECNAV: All Navy jobs should be open to women](#)  
[Some soldiers prefer amputations to damaged limbs](#)

## **Misconduct**

[Calif. man accused of bogus recruiting scheme](#)

## **Religion**

[France bans face-covering Islamic veil](#)

## **Sexual Assault / Harassment**

[Assault victims raise clearance concerns](#)  
[Bill to Allow Sex Assault Victims to Transfer](#)

## **ODMEO Interest Items**

[BIA allays tribes’ fears about shutdown fallout](#)  
[Gary Locke on reforming a system](#)  
[Misplaced Priorities: A New report From NAACP](#)

# **Discrimination**

<http://ebird.osd.mil/ebfiles/e20110409813893.html> or

<http://www.miamiherald.com/2011/04/08/2158076/pentagon-lawyer-apologizes-for.html>

## Pentagon lawyer regrets Seminole-al Qaeda analogy

By Carol Rosenberg

Miami Herald, April 9, 2011

WASHINGTON -- The Pentagon's top lawyer has sent the Seminole Tribe of Florida what amounts to an apology for Guantanamo war court lawyers likening al Qaeda to the Native American tribe in 1818. But Defense Department general counsel Jeh Johnson made clear in the single-page letter that the U.S. government was standing by its precedent from Gen. Andrew Jackson's Indian Wars in its bid to uphold the life-time conviction of Osama bin Laden's media secretary at Guantánamo's Camp Justice.

"I regret any larger suggestion that the Seminole Tribe should be equated with al Qaeda," Johnson wrote in an April 7 letter. "I understand why the members of the Tribe and many others would take offense at the suggestion." Johnson pointed out in the letter that war court prosecutors had written the military commissions review panel "clarifying the legal point they originally intended to make" – that the analogy "could have benefited from greater precision" but was a valid precedent. "The morality or propriety of General Jackson's military operation in Florida is irrelevant," they wrote.

Tribe lawyer Jim Shore wrote Secretary of Defense Robert Gates March 25 asking the government to withdraw the offensive portion of the 37-page military commissions brief that included this: "*Not only was the Seminole belligerency unlawful, but, much like modern-day al Qaeda, the very way in which the Seminoles waged war against U.S. targets itself violate the customs and usages of war.*"

A Pentagon appellate lawyer, Navy Capt. Edward S. White, included the line in his defense of the conviction of Yemeni Ali Hamza al Bahlul, now serving life at Guantánamo, because military commission lawyers are relying on the precedent of an 1818 tribunal that ended in the conviction and executions of two English merchants in Spanish Florida.

In the 1800s, Jackson led a U.S. military invasion of Florida to stop black slaves from fleeing through a porous border and put the merchants before a military commission on charges of aiding the enemy, Seminoles. The commission found them guilty and sentenced them to hard labor, a punishment Jackson overruled and had the men executed.

Shore wrote Gates that the prosecutors' statements were an apparent "effort to turn back the clock and rewrite history," because they include the comparison, which is both "inaccurate and insulting, especially in the context of our ancestors' resistance to an invading army engaging in a campaign of ethnic cleansing and other atrocities."

Mitchell Cypress, the Seminole Tribe of Florida chairman, also wrote President Barack Obama a bitter letter that accused war court prosecutors of taking a "backward dive into racist, revisionist history." Johnson appeared to apologize: "*The Department and the Administration share your pride in the great progress our nation has made in correcting and learning from the injustices of the past,*" he wrote, "*and also recognize that much remains to be done.*"

The tribe did not find the Johnson letter of regret sufficient. After receiving the letter, Tina Osceola, the Tribe Historic Resources Officer, wrote the White House Friday saying the Seminoles still were awaiting a response from President Obama. "We are hopeful that once the president reviews the chairman's request, we can continue to work with your office to organize an official apology," she wrote White House staffer Charles W. Galbraith. "We would welcome hosting such an event at our Big Cypress Seminole Indian Reservation."

The White House spokesman responsible for tribal issues did not respond to a request for comment or confirmation that President Obama had seen the Seminole correspondence. Johnson, in writing the note, copied in Secretary of Interior Ken Salazar on the apology, but not the president.

# Diversity

## “Fox and Friends” Roast Crayola's Multicultural Markers

by AFRO Staff

Afro.com, April 9, 2011

The hosts of “Fox and Friends,” Fox News Channel’s morning show, recently blasted arts and crafts maker Crayola for manufacturing a special brand of markers the company says are ethnically insensitive.



*“Fox and Friends” personalities Steve Doocy, Gretchen Carlson and Brian Kilmeade. (Courtesy Photo)*

The brand's Multicultural Markers feature many different hues of skin tones, unlike its traditional sets.

On April 7, host Brian Kilmeade introduced the story and news contributor Michelle Malkin criticized the markers.

“It's just goofy, I have to say that I am proud to say that I say I survived my childhood without [them],” Malkin said on the show. “I was fine with ‘Burnt Sienna’ and I

think really most elementary school kids are fine with pink or blue.”

Malkin then suggested that the specific special brand is really an underlying method of capitalizing off of liberal parents, rather than appealing to children.

“I understand that this is pandering more to liberal parents than it is to kids who really have no need for such things,” she added. “The only color that this really is about is green—it’s good, smart savvy politically-correct marketing by Crayola.”

Chelsea Rudman, blogger for Media Matters, questioned the segment's recent feature of the markers and claimed the special brand had been around for years.

Crayola's Web site supports Rudman's claims as a timeline of the company's products shows that the multicultural line was indeed introduced in 1992.

Rudman buttressed her point about the line's significance with a 1992 New York Times article published at the onset of the multicultural line's release.

According to the article, teachers and children in Maryland's Montgomery County school district were tired of seeing the Rev. Dr. Martin Luther King Jr. being drawn with a black crayon and as a result, Binney & Smith, manufacturers of Crayola, released a special set of skin-tone crayons.

“Teachers wanted children to color drawings of themselves to reflect how they think they look,” Mark O'Brien, a spokesman for the company told the Times upon the multicultural brand's release.

According to the blog Ethan Non Sequitur, the brand was spoofed last year by a circulating Facebook picture at the onset of the passing of the Arizona immigration bill, which charges misdemeanors to those lacking immigration documents or proof of citizenship.

In the picture, the seven dark hues of crayons are highlighted with a headline saying, “We need to see your proof of citizenship,” while the lone white crayon is headed with “Welcome to Arizona, Have a nice day.”

# **Human Relations**

[http://www.nytimes.com/aponline/2011/04/06/us/AP-US-Indians-Law-and-Order.html?\\_r=1&ref=us](http://www.nytimes.com/aponline/2011/04/06/us/AP-US-Indians-Law-and-Order.html?_r=1&ref=us)

## **Indian Law and Order Panel Has First Meeting in NM**

**By THE ASSOCIATED PRESS**  
**New York Times, April 6, 2011**

SANTA FE, N.M. (AP) — Members of the Indian Law and Order Commission are convening in New Mexico for their first in-person meeting.

The commission was established under the Tribal Law and Order Act signed into law by President Barack Obama last year. The commission is charged with making recommendations to the president and Congress on how to improve the administration of justice on tribal lands.

The president of the National Congress of American Indians, Jefferson Keel, says the commission has the potential to be a driving force behind implementation of the Tribal Law and Order Act. The law aims to give tribes the authority, resources and information needed to combat crime on reservations.

Keel is one of nine members of the commission, which is meeting Wednesday in Santa Fe. Others include tribal and federal justice officials, a law professor and former lawmakers.

# Miscellaneous

[http://www.pressherald.com/news/snowe-calls-for-new-limits-on-protesters-at-funerals\\_2011-04-14.html](http://www.pressherald.com/news/snowe-calls-for-new-limits-on-protesters-at-funerals_2011-04-14.html)

# **Snowe calls for new limits on protesters at funerals**

By **Jonathan Riskind** [jriskind@mainetoday.com](mailto:jriskind@mainetoday.com)  
MaineToday Media Washington Bureau Chief  
Portland Press Herald, April 14, 2011

WASHINGTON -- Families of fallen troops "have earned the right to bury their loved ones in peace," says U.S. Sen. Olympia Snowe.

And in the wake of a Supreme Court decision earlier this year to permit the Westboro Baptist Church to carry on its disruptive protests at military funerals, lawmakers must step in with stronger protections for those families, says Snowe, R-Maine.

On Wednesday, Snowe introduced the Sanctity of Eternal Rest for Veterans Act -- dubbed the SERVE Act -- an effort to keep raucous protesters from getting too close to military funerals and increase penalties for breaking the rules of conduct.

Snowe's involvement in the issue was prompted by a Maine high school student's campaign to ban such protests.

"Those who fight and die in the service of our country deserve our highest respect," Snowe said in a prepared statement. "The SERVE Act strikes a balance between the sanctity of a funeral service and the right to free speech."

Snowe's proposal would alter federal law to increase the "quiet time" in which protests are prohibited before and after military funerals from one hour to two hours, and increase the distance that protesters must stay from services.

Current law sets a 150-foot boundary around a service and 300 feet around the access route to the service. Snowe's bill would increase the buffers to 300 feet and 500 feet, respectively. It also would impose penalties on violators, including as much as two years in prison.

The Supreme Court ruled 8-1 in March that First Amendment free speech rights protect the anti-gay protests staged at military funerals nationwide by the small Westboro Baptist Church of Topeka, Kan.

The case originated with the group's protest at the 2006 funeral in Maryland of Marine Lance Cpl. Matthew Snyder, 20, who was killed in Iraq.

The church members say troops are killed as an act of God in retribution for tolerance of gays and lesbians.

They have protested in Maine at least once, in 2007 in Portland, at the funeral for a soldier who died in Iraq. They indicated several other times that they would come to Maine but didn't show up.

Maine law says it is a crime to taunt, insult or otherwise accost any person at a funeral. Before the Supreme Court decision, Zach Parker of Searsport High School began his campaign to outlaw protests at military funerals.

Parker's involvement led Snowe to sponsor the legislation. Her staff was at a community meeting organized by the high school senior in early January. When Snowe heard about Parker's campaign, she promised to take a look at his proposal in light of what was pending in the Supreme Court. She decided to go ahead with the legislation once the ruling was released in early March.

Snowe's office said she spoke with Parker on Wednesday to let him know that the bill has been introduced.

[http://www.pressherald.com/news/snowe-calls-for-new-limits-on-protesters-at-funerals\\_2011-04-14.html](http://www.pressherald.com/news/snowe-calls-for-new-limits-on-protesters-at-funerals_2011-04-14.html)

Parker, 17, said in a phone interview Wednesday that he is giving Snowe's legislation his full support. "I am glad that it went this far and I am hoping that what she has will go through," Parker said. "I know [Snowe] will do her best to go through with everything, and hopefully we will get this bill passed and it will become law."

Among the co-sponsors by Wednesday late afternoon were Democratic Sens. Kent Conrad of North Dakota, Kirsten Gillibrand of New York, Mark Pryor of Arkansas and Jeanne Shaheen of New Hampshire, and Republican Sens. Dan Coats of Indiana, John Hoeven of North Dakota, Kay Bailey Hutchison of Texas, Mike Johanns of Nebraska and Marco Rubio of Florida, Snowe's office said.

Among the groups supporting the bill so far are the Enlisted Association of the National Guard of the United States, the Military Order of the Purple Heart, the Non Commissioned Officers Association and Veterans of Foreign Wars, Snowe's office said.

Chief Justice John Roberts said in the court's decision that the protests are "hurtful" and don't contribute much, if at all, to public discourse, but that doesn't mean the protesters can be banned.

"As a nation, we have chosen a different course -- to protect even hurtful speech on public issues to ensure that we do not stifle public debate," Roberts said.

In the Snyder case, the Westboro protesters picketed from a distance of about 1,000 feet.

In 2006, Congress passed the Respect for America's Fallen Heroes Act, which established the current restrictions. The Supreme Court ruling did not appear to negate such restrictions.

States including Maryland and New York are considering laws to increase the mandated separation between military funerals and protesters.

Snowe's legislation would put restrictions in federal law and cover protests at federal cemeteries.

In the U.S. House, Rep. C.A. Ruppertsberger, D-Md., has introduced a bill to increase the distance at which protesters must stay to 2,500 feet and the time before and after services in which protests are banned to five hours.

<http://www.stripes.com/news/critical-shortage-of-neurologists-for-troops-in-iraq-and-afghanistan-1.140919>

# Critical shortage of neurologists for troops in Iraq and Afghanistan

**By T. Chirstian Miller and Daniel Zwerdling**  
**ProPublica and NPR/Stars and Stripes, 13 April 2011**

The Army is facing a "critical" shortage of neurologists, partly because of recent policy changes designed to improve diagnosis and treatment of mild traumatic brain injuries, according to a new military medical memorandum.

The policies, issued last June, require soldiers who have suffered three or more mild traumatic brain injuries in a year to receive a comprehensive evaluation by a neurologist or similarly qualified doctor. The military also set up a clinic in Afghanistan last year specifically to treat traumatic brain injury and mandated rest periods for soldiers exposed to blasts.

The new initiatives have "increased dramatically" the need for neurologists on the battlefield, according to the memo, which was issued in March and obtained recently by ProPublica and NPR.

"The shortage is far more acute than they want to admit," said one Army doctor, who did not want to be identified for fear of damaging his career. "This is an ideal doctrine which was promulgated but not fulfilled due to a lack of resources."

Army officials have long complained about a lack of neurologists, neuropsychologists and other medical professionals needed to diagnose and treat mild traumatic brain injuries, also known as concussions.

At a hearing last June, Army Gen. Peter Chiarelli, the vice chief of staff, told Congress that the Army had a total of 52 neurologists, though only 40 were practicing -- a figure, he said, that included child neurologists.

"I have a shortage in neurologists, a tremendous shortage," Chiarelli told NPR and ProPublica in an interview last year. Chiarelli said the problem was not a lack of funding, but recruiting neurologists willing to be deployed to war zones.

Also, under the military's system for deploying doctors, some neurologists act as general practitioners, serving as the primary medical officers for combat units sent overseas rather than as specialists. The new memo aims to stop that practice and funnel neurologists to help troops with brain injuries.

"There has always been a shortage of board certified neurologists; neurologists are in short supply in civilian practices as well," Cynthia Vaughan, a spokesman for the Army's Surgeon General, wrote in response to questions. "The change was made to ensure we have neurologists who are deployed working as neurologists and available to treat concussive injuries vs. deploying as general medical officers."

It is unclear whether other military services are having similar trouble finding neurologists to deploy abroad. A spokesman for Central Command, which oversees the fighting in Iraq and Afghanistan, did not immediately return a request for comment.

Official military figures show that more than 155,000 troops have suffered concussions since the beginning of the wars in Iraq and Afghanistan, many of them caused by blasts from roadside bombs, a common insurgent weapon. Researchers outside the military say the true figure could be at least twice that number. The Pentagon says nearly 50,000 others have suffered more severe brain injuries.

<http://www.stripes.com/news/critical-shortage-of-neurologists-for-troops-in-iraq-and-afghanistan-1.140919>

Previous ProPublica and NPR stories found studies showing that as many as 40 percent of mild traumatic injuries go undiagnosed. Such injuries do not leave visible scars and can be difficult to detect.

Most concussions heal quickly, usually within a matter of weeks. But civilian studies show that 5 percent to 15 percent of those who sustain concussions may suffer long-lasting cognitive issues, such as problems with memory, reading, doing simple math, or following directions.

Research has shown that the danger of long-term damage increases with the number of concussions. Studies have indicated an increased risk for a dementia-like condition among football players and other athletes who suffered numerous mild head injuries over their careers.

# McChrystal to Lead Program for Military Families

By THOM SHANKER

New York Times, April 10, 2011

WASHINGTON — Gen. [Stanley A. McChrystal](#), who was [relieved of command](#) in Afghanistan [after a magazine profile](#) quoted his subordinates as disparaging senior civilian leaders, has been invited back to public service by the Obama administration to help oversee a high-profile initiative in support of military families, White House officials said Sunday.

General McChrystal will lead the three-member advisory board for the initiative, called Joining Forces, whose aim is to encourage companies, schools, philanthropic and religious groups and local communities to recognize the unusual stress that is endured by families of active-duty personnel, reservists and veterans, and to strive to meet their needs.

The appointment of General McChrystal, who commanded elite Special Operations units before taking over the mission in Afghanistan, can be seen as an effort to mend any perception of a civilian-military breach following his forced retirement.

More broadly, the new program is an acknowledgment by the administration that while the United States has been described as “a nation at war,” the burden of combat is carried by less than 1 percent of the population. The military has been fighting for almost a decade — since a month after the Sept. 11 terrorist attacks — the longest sustained era of conflict in the nation’s history. And unlike previous wars, these have been carried out by an all-volunteer force.

As a sign of the priority that the White House is giving the new program, it will be officially announced on Tuesday by [Michelle Obama](#), the first lady, and [Jill Biden](#), wife of the vice president.

In an e-mail statement, Mrs. Obama said she welcomed General McChrystal’s return to public life because it would allow him to “continue to serve our country through this critical effort to support our nation’s military families.”

“He will be a unique and powerful advocate for the millions of Americans who serve our country selflessly,” Mrs. Obama said. “This program will build upon our nation’s great patriotism by asking all Americans to take action and ensure our military families have the support they have earned.”

General McChrystal, in a telephone interview on Sunday, noted that a decade of combat carried out by a relatively small military force “has required a lot of sacrifice by families.”

“This program will be a chance to focus people’s attention on ways they can help, and on the importance of helping, and provide opportunities for people to find practical things to do to support military families,” he said.

After the publication of the controversial profile, which appeared in Rolling Stone in June 2010, General McChrystal accepted responsibility for the comments made by his subordinates and resigned.

Since leaving the military, he has been teaching at [Yale University](#) and making the rounds on the lecture circuit. He said Sunday that the Obama administration’s invitation to return to public service should be seen as proof to those in uniform, and to the American public, that there were no hard feelings on either side of the civilian-military divide.

“We can prove it’s about something bigger,” he said. “It sends a strong, positive message that this is about taking care of our people.”

The Joining Forces program will be guided and coordinated by the Center for a New American Security, a nonpartisan policy institute. The center, which is led by two military veterans, has

[http://www.nytimes.com/2011/04/11/us/11military.html?\\_r=3&hp](http://www.nytimes.com/2011/04/11/us/11military.html?_r=3&hp)

ublished a series of reports analyzing stress on service members an part of its study of “military wellness.”

Joining General McChrystal on the board of advisers will be Patricia Shinseki, the wife of Gen. Eric K. Shinseki.

During the last year of his tenure as the Army chief of staff, General Shinseki was criticized and then ostracized by senior Bush administration officials for his public assessment that a larger military force was needed to bring stability to post-invasion Iraq — comments that proved accurate. After President Obama’s election, General Shinseki was invited out of retirement to lead the Department of Veterans Affairs.

The new initiative is designed to prod businesses and community and charitable groups to connect with military families as an act of public service, without being prompted to do so by federal money or tax incentives, officials said. Companies will be urged to take extra measures to help military family members find jobs when they move from one community to another, and schools will be urged to adopt programs to help children adjust to the pressure of having a parent in combat.

In addition, entertainment and media companies will be asked to produce programs and public awareness spots that spotlight the needs of active-duty families, reservists and veterans. And medical groups will be encouraged to adopt programs that are suited to the health care needs of military personnel, veterans and their families.

# More Americans leaving workforce

By Dennis Cauchon

USA TODAY, April 14, 2011

The share of the population that is working fell to its lowest level last year since women started entering the workforce in large numbers three decades ago, a USA TODAY analysis finds.

Only 45.4% of Americans had jobs in 2010, the lowest rate since 1983 and down from a peak of 49.3% in 2000. Last year, just 66.8% of men had jobs, the lowest on record.

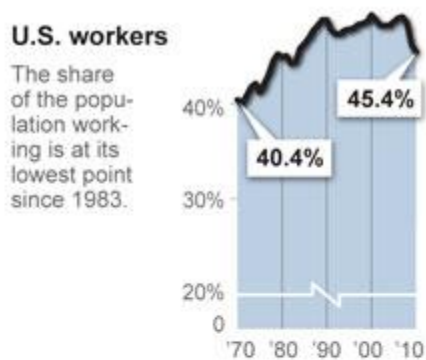
USA TODAY analyzed employment numbers and 2010 Census data to see how the ratio of workers to non-workers has changed.

Other key findings:

•**Men leave.** Working-age men have been dropping out of the labor force for decades. The disappearance quickened when construction and manufacturing jobs vanished in the recession from December 2007 through June 2009. Until the 1960s, more than 80% of men worked.

•**Women stay.** The trend of women getting jobs offset the loss of working men until the late 1990s. The share of women holding jobs rose from 36% in 1960 to 57% in 1995, then leveled off. The rate was 56% in 2010.

The aging of 77 million Baby Boomers born from 1946 through 1964 from children to workers to retirees is changing the relationship between workers and dependents.



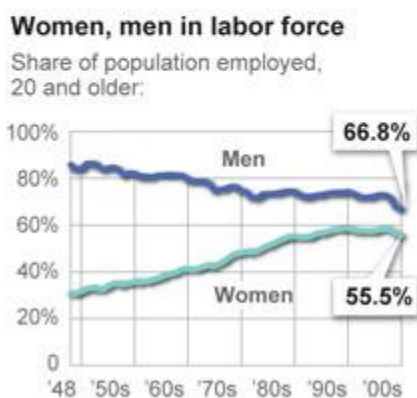
The bad economy, an aging population and a plateau in women working are contributing to changes that pose serious challenges for financing the nation's social programs.

“What’s wrong with the economy may be speeding up trends that are already happening,” says Marc Goldwein, policy director of the Committee for a Responsible Federal Budget, a non-partisan group favoring smaller deficits.

For example, job troubles appear to have slowed a trend of people working later in life, putting more pressure on Social Security, he says.

Another change: the bulk of those not working has shifted from children to adults.

In 2000, the nation had roughly the same number of children and non-working adults. Since then, the population of non-



Sources: USA TODAY; Bureau of Economic Analysis; Bureau of Labor Statistics

By Julie Snider, USA TODAY

<http://www.usatoday.com/money/economy/employment/2011-04-13-more-americans-leave-labor-force.htm?loc=interstitialskip#>

working adults has grown 27 million while the nation added just 3 million children under 18.

The aging of 77 million Baby Boomers born from 1946 through 1964 from children to workers to retirees is changing the relationship between workers and dependents.

Retirees generally are more costly to support than children.

The average public school education costs \$10,000 a year. The average retiree gets \$25,000 a year in benefits — \$13,000 in Social Security and Medicare benefits of \$12,000.

In all, taxpayers will spend about \$125,000 educating a child and \$500,000 caring for a senior, in today's dollars at current life expectancies, according to federal education and retirement program data. The costs are paid differently, too. State and local governments, through sales and property taxes, pay most education expenses. The federal government, though income taxes, pays most retiree costs.

“No matter how wealthy you are, you have a problem if half the population is not working and depending on those who are,” says John Goodman, president of the conservative National Center for Policy Analysis. “Wherever you look, we’ve overpromised.”

Economist Eileen Applebaum of the liberal Center for Economics and Policy Research says the real problem is a lack of jobs. Another 25 million people would work in a healthy economy, and incentives such as child care assistance could help, she says: “We’re getting richer. We can afford things. We just need to fix what needs to be fixed.”

<http://ebird.osd.mil/ebfiles/e20110411814319.html> or  
<http://www.navytimes.com/news/2011/04/navy-all-jobs-open-to-women-secnav-041111w/>

## **SECNAV: All Navy jobs should be open to women**

### ***Calls for integrating attack subs; hesitant on SEAL teams***

**By Sam Fellman**

**Navy Times, April 18, 2011**

The Navy Department's top civilian said he believes every community should be open to women, including attack submarine crews and -- if they can qualify -- SEAL teams.

But although he's against any gender ban in the service, Navy Secretary Ray Mabus stopped short of a full-throated endorsement of integrating women into every part of the naval special warfare community.

"It's my notion that women should have the same opportunities as men in the Navy," Mabus told Navy Times during a March 31 interview. "They should be able to go as far as their talents take them. They should be able to serve in whatever communities.

"The only reason I'm being a little hesitant for the SEALs is some of the physical things you've got to go through to be a SEAL. I think women ought to have whatever opportunities men do," he said.

An advisory panel led by senior enlisted and officers from each service recently called for opening all military specialties to women. When asked if attack submarines will be integrated, Mabus told Navy Times: "That's going to happen. What you don't want to have is, sort of, two different submarine forces: the [ballistic-missile and guided-missile subs] if there are women embarked, the [attack subs] if there are not women embarked.

"So, that planning is underway in terms of how that would work," he added. "Part of it is what lessons were learned with women on the SSBNs and the SSGNs. Let's get a little experience first before we move out on that." Mabus said the integration of attack submarines, which will require significant berthing configuration changes, was being studied but that no time frame had been set, adding that it would be a "relatively close follow-on" to the integration taking place on boomers.

He emphasized, "We're going to integrate the entire force." Besides SEALs, the other Navy communities closed to women are special warfare combatant-craft crewmen, Fleet Marine Force corpsmen serving in direct combat units, and riverines, due to combat exclusion rules. And enlisted women are prohibited from serving aboard coast patrol craft and frigates. Frigates are slated for decommissioning and the cost of re-configuring berthing on these vessels would be "prohibitive," according to Lt. Matthew Allen, a spokesman for the chief of naval personnel.

Mabus' stance that women should serve on all the Navy's subs marks a shift from the integration announcement in late September 2009. Then, Big Navy was initially bullish about putting women aboard ballistic-missile and guided-missile subs but more conservative when it came to attack boats.

Adm. John Harvey, head of Fleet Forces Command, told Navy Times in October 2009 — less than one week after the policy shift was announced — that the Navy was taking a wait-and-see approach toward putting women aboard Seawolf-, Los Angeles- and Virginia-class subs.

"When you look at the one we're building now, the Virginia class, that's what I'd call a mature design," Harvey said. "Now that we're in serial production, to go back and undo things to make it viable for females in the crew, that's a pretty tall order.

"Can it be done? I just don't know where we are on that and at what cost, etc.," he said. "But I know we can get at it much more rapidly with the SSGNs and SSBNs, so that's where the focus will be."

<http://ebird.osd.mil/ebfiles/e20110411814319.html> or  
<http://www.navytimes.com/news/2011/04/navy-all-jobs-open-to-women-secnav-041111w/>

The integration on the SSGN and SSBN side has already begun. Eighteen female junior officers are in the training pipeline; the first 10 have progressed from Naval Nuclear Power School to nuclear prototype training, the second phase of nuclear training for officers, and are expected to arrive at their subs in November, according to Lt. Brian Wierzbicki, spokesman for Submarine Group 10. The second group of submariners-in-training is at power school and slated to arrive at their subs in February.

Two female nuclear-trained officers will join the blue and gold crews of four submarines: ballistic-missile submarines Wyoming and Maine and guided-missile submarines Georgia and Ohio. They will be joined by female Supply Corps lieutenants who will serve as professional role models. The three women will share a stateroom.

In November — when the names of the submarines to be integrated were made public — 21 women were in the training pipeline. Since then, two women have been selected for graduate school and will subsequently resume nuke training, and a third has been medically disqualified. Meanwhile, the eight female lieutenants are scheduled to head to supply department head school in April and May, followed by the Submarine Officer Basic Course.

“We will be informed by the lessons we learn from the integration of female officers on SSBNs and SSGNs. Once we complete these efforts, we can determine the best path forward,” Wierzbicki wrote in an email reply to questions. “Lessons learned from this process will help inform future decisions regarding the expansion of female integration aboard submarines to the enlisted ranks.”

Staff writer David Brown contributed to this report.

## Some soldiers prefer amputations to damaged limbs

By Gregg Zoroya

USA Today, 13 April 2011

WASHINGTON — Army 1st Sgt. William "Mike" Leonard found himself mourning the left leg that he had agonized for months about keeping. It was in December, just weeks before he would have doctors cut it off.

"There were a couple of nights," the company sergeant recalls, "where I sat in the shower and just kind of had some tears about losing it."

But the bomb blast in [Afghanistan](#) that had taken his right leg on March 22, 2010, had so damaged the left one that bones stubbornly resisted mending. Standing on the left limb was excruciating. Leonard could see other amputees at [Walter Reed Army Medical Center](#) up and running on new, high-tech prosthetics. "Why am I still in a wheelchair?" he asked himself during months of internal debate.

Doctors amputated Leonard's remaining leg on Jan. 10. Within weeks, he was standing on gleaming new artificial limbs, balancing on bright green [Nike Air Max](#) running shoes, and sweating over a hip exercise machine.

"It's nice to get up and get going finally," says Leonard, 40.

Wounded soldiers and [Marines](#) are making choices about arms and legs that predecessors from earlier wars never had: whether to trade poorly functioning flesh-and-blood for microprocessor-driven substitutes. Advanced prosthetics created to replace limbs lost in battle now are being sought by troops with legs or arms that survived combat, but are not functioning well or are still causing great pain after months or even years of physical therapy.

What doctors call delayed amputations — defined as when limbs are removed three months after an injury — now make up 15% of all combat-related amputations, according to research in *Military Medicine* published in December. That's up from a 5% military rate cited in a 2008 analysis in the *Journal of Orthopedic Trauma*, and far higher than the civilian rate of 3.9%.

Since the wars in Iraq and Afghanistan began, 134 troops — 101 soldiers, 23 Marines, six airmen and four sailors — have chosen to have their limbs removed and replaced with prosthetics months or years after being hurt, according to the Army, Navy and Air Force. The longest period between an injury and an amputation was five years, Army doctors say.

The vast majority involve removing legs rather than arms, the doctors say. The largest number of these surgeries occur here at Walter Reed, with smaller numbers of delayed amputations performed at Brooke Army Medical Center in San Antonio, Naval Medical Center San Diego and Bethesda Naval Medical Center in Maryland.

To avoid giving up too soon on limbs that could be salvaged with time and effort, doctors here have developed an informal protocol for handling such cases, says Army Maj. Benjamin Kyle Potter, an orthopedic surgeon who performs most of these elective amputations.

They encourage patients contemplating amputation to have a lengthy period of reflection and consultation with doctors, physical therapists and other amputees, sometimes lasting weeks or months while they work to improve the damaged limb. Any possible candidate for amputation is required to meet with a mental health specialist. And patients are urged to seek second opinions.

<http://www.usatoday.com/news/military/2011-04-12-troops-amputee-prosthetic-Iraq-Afghanistan.htm>

"It's something that we struggle with consciously and transparently in order to make sure that patients who are considering delayed amputation are doing so for the right reasons," Potter says. "These kids are 20, 24 years old and you want to make sure that they're not doing it for the quick fix. ... An amputation is certainly something that is forever. And it's something that we as a team and I as a surgeon consider very seriously."

### **'This can't be happening'**

Leonard doesn't remember the blast.

He vaguely recalls a medic grabbing him by his body armor and urging him to lay down after Leonard apparently was trying to stand on a shattered right leg and damaged left one.

His wife, Cheryl Leonard, back home near Fort Lewis, Wash., recalls it like it was yesterday: the phone call with a curious preamble of questions — "When was the last time you heard from your husband? — before the news was delivered. She furiously scribbled every word into a notebook.

Her husband had survived combat tours to Baghdad and Ramadi in Iraq. Now a company sergeant, he was not supposed to be going out on routine patrols, Cheryl thought. "I'm thinking, 'This can't be happening,' " she recalls.

It was their third separation caused by war since the two had married in 2003 after — by military standards — a storybook romance.

In 2002, she had been dragged to a recruiting center by her son from a first marriage, who was toying with enlisting in the Navy. The Navy recruiter was out and soldiers in the Army recruiting office nearby, where Mike worked at the time, waved her and her son inside. Mike says he was smitten. The son never enlisted, but Mike and Cheryl began meeting over coffee.

A year later, Mike was so eager to marry her before going to Iraq that they exchanged vows in a phone call — he in Germany and she in an Oregon courthouse, with a judge on a speaker phone. "It was our fairy tale wedding," Cheryl says.

Early last year before heading to Afghanistan, Mike suddenly raised the issue of what medical care should or should not be taken if he were severely wounded. The result was that he signed papers directing doctors not to resuscitate him if he were left on life support.

He was haunted by one possible outcome, Mike says: "I didn't want to be a double amputee."

Cheryl knew this too well when she caught up with her husband in the intensive care ward at Walter Reed after the blast.

She was told that Mike had nearly died. Doctors twice had revived him at an Army hospital in Germany during his transit from Afghanistan. His right leg below the knee was gone. He was unconscious. And doctors were urging her to let them remove Mike's surviving, damaged lower left leg.

The blast had shattered or even obliterated bones in the left heel and foot. What was left would likely not mend and the pain would be intense if Mike eventually tried walking on it, doctors warned.

But aware of her husband's worst fear of losing both legs, Cheryl declined. "I told them that he has a high tolerance for pain and I think he needs to be the one to decide," she recalls.

In a heavily medicated state, Mike was dimly aware of his broken body, Cheryl recalls. At one point, tears streaming down his face, he asked her to have doctors remove his feeding tube and let

<http://www.usatoday.com/news/military/2011-04-12-troops-amputee-prosthetic-Iraq-Afghanistan.htm>

him die. "Mike, you're fine," Cheryl recalls pleading with him. "You've taken care of me for many years and so it's my turn now. So you just heal and get better so we can get back to our lives."

He also had suffered a traumatic brain injury from the blast. But his head was clearing by late April and early May of last year. "I came out of the haze and fog and started really realizing what was going on," he says. "I still had my left leg. But I couldn't use it."

Depression set in for a few weeks. Mike met with an Army psychologist. And there were infections and more operations on his left foot.

### **Amputation's advantages**

Soldiers in previous wars had the option of amputation for a damaged leg that was not getting any better. But they didn't have the array of advanced artificial limbs available today: bionic feet fueled by lithium batteries, mechanical legs with microprocessors that anticipate movement and curved carbon-fiber prosthetics that allow high-performance running.

The choice of an artificial alternatives is better than ever.

Fueling the decisions to amputate are the living and rehabilitation environments at the military's leading hospital. There, amputees work side by side in physical therapy with troops trying to salvage damaged arms or legs.

Every day in the halls of housing complexes or in the rehabilitation centers, service members who are working to save their limbs make comparisons with those who have lost legs and are more rapidly becoming mobile on prosthetics.

"Some, if not most, of our delayed amputations were influenced in their decisions by their frequent interaction with other amputees," according to published research on the trend by Army doctors.

Doctors say that those patients trying to save their limbs grow frustrated with time.

"(Amputees) are up and walking — potentially running — faster, when a similar person undergoing limb salvage is ... having additional surgeries with months of continued rehab and operations ahead of them," Potter says.

"I think we'll see late amputations continuing, the numbers will increase," says Col. James Ficke, the orthopedic consultant to the Army Surgeon General, who has performed these operations at Brooke. "Because as the injuries occur, and you go through your life (with ongoing pain or lack of function) you'll finally say, 'I am tired of this. I want something different.' "

Doctors warn that artificial limbs are not free of problems. Research shows that even with advanced prosthetics, the human body will not function as it did before, Potter says. There can be long-term costs — lower back pain and arthritis — that get worse with age.

Even so, patients can be insistent on amputations. A few with elective amputations have managed to return to active duty, doctors say. Ficke says the decision to agree to an amputation can be "gut wrenching" for doctors.

"This is final," Ficke says of the operation. "I never want a patient coming to me (in the future) and saying, 'You took my leg off and that was a mistake, and I regret it.' "

What tormented Mike Leonard, besides his failure to regain mobility, was how the damage was confined primarily to his left heel and foot, where bones were gone or failing to knit together with time. When he was alone in the shower looking down at the limb, it nearly looked undamaged.

<http://www.usatoday.com/news/military/2011-04-12-troops-amputee-prosthetic-Iraq-Afghanistan.htm>

And if he chose amputation, Mike would not simply lose his left foot, doctors told him. To even the stress on his body, they would amputate at the same location where he lost his right leg — about five inches below the knee.

He struggled with a decision for nine months last year. Mike and Cheryl consulted with civilian doctors who were equally pessimistic about his left leg's recovery.

At best, they told him, he would have a limp and never run again.

"Stairs would be difficult. Uneven terrain would be difficult," Mike says. "I mean it was just one bad prognosis after another."

And Cheryl was noticing how Mike enviously watched amputees at Walter Reed active on their prosthetics.

"He was in the wheelchair more often than not," she recalls, "He said, 'Honey, I'm a double-amputee already.' "

On Friday, Jan. 7, Mike told doctors to take the leg off. Surgery was the next Monday.

"I was really glad (the amputation) was less than a week away," he says now. "If they had said they would do the operation in March, I probably would have backed out."

# Misconduct

## **Calif. man accused of bogus recruiting scheme**

**The Associated Press**

**Army Times, 12 April 2011 21:43:04 EDT**

POMONA, Calif. — A Chinese national was arrested and charged Tuesday in a Army recruiting scam in which he convinced 100 others to enlist with the promise that it was a path to U.S. citizenship, authorities said.

Yupeng Deng, also known as David Deng, gave himself the title of “Supreme Commander” of an unauthorized military unit he called the U.S. Army/Military Special Forces Reserve unit, prosecutors said. The 51-year-old El Monte man allegedly recruited other Chinese nationals, primarily in the San Gabriel Valley, to join.

He is accused of providing recruits with phony Army uniforms, fake documents and military ID cards and charging them initiation fees ranging from \$300 to \$450, with renewal fees set at \$120 a year.

The recruits were instructed to report to Deng’s office in Temple City, which was decorated to look like an official military recruiting center, to undergo military training and indoctrination, the Los Angeles County district attorney’s office said. They marched in a parade in Monterey Park and took a tour of the USS Midway Museum in San Diego, all in uniform.

Deng was charged with 13 counts of theft by false pretenses, manufacturing deceptive government documents and counterfeit of an official government seal, prosecutors said. He faces more than eight years in state prison if convicted.

It was not known whether Deng had retained an attorney. An email sent after-hours Tuesday to the district attorney’s office was not immediately returned.

Deng was arrested by agents with the FBI and Defense Department on a felony complaint filed Monday, Deputy District Attorney Richard Ceballos said. He was being held on \$500,000 bail and scheduled to be arraigned Wednesday.

Federal investigators began looking into Deng more than two years ago when they received reports from police who recovered counterfeit military IDs from some of Deng’s recruits during traffic stops, FBI spokeswoman Laura Eimiller said.

When Deng sent his recruits renewal forms for their bogus military IDs, some showed up at Army facilities to pay them, she said.

Deng also has been charged with one count of possession of child pornography stemming from a search warrant executed at his home. Authorities investigating the Army fraud case say they found child pornography on his home computer.

He was scheduled to be arraigned in that case on April 18, and faces up to three years in state prison if convicted.

# Religion

# France bans face-covering Islamic veil

By CAMILLE RUSTICI

Associated Press/ Forbes, 11 April 2011

PARIS (AP) -- France's new ban on Islamic face veils was met with a burst of defiance Monday, as several women appeared veiled in front of Paris' Notre Dame Cathedral and two were detained for taking part in an unauthorized protest.

France on Monday became the first country to ban the veils anywhere in public, from outdoor marketplaces to the sidewalks and boutiques of the Champs-Elysees.

French President Nicolas Sarkozy set the wheels in motion for the ban nearly two years ago, saying the veils imprison women and contradict this secular nation's values of dignity and equality. The ban enjoyed wide public support when it was approved by parliament last year.

Though only a very small minority of France's at least 5 million Muslims wear the veil, many Muslims see the ban as a stigma against the country's No. 2 religion.

About a dozen people, including three women wearing niqab veils with just a slit for the eyes, staged a protest in front of Notre Dame on Monday, saying the ban is an affront to their freedom of expression and religion.

Much larger crowds of police, journalists and tourists filled the square.

One of the veiled women was seen taken away in a police van. A police officer on the site told The Associated Press that she was detained because the protest was not authorized and the woman refused to leave when police asked her to. The officer was not allowed to be publicly named.

The Paris police administration said another woman was also detained for taking part in the unauthorized demonstration.

It was unclear whether the women were also fined for wearing a veil. The law says veiled women risk a euro150 (\$215) fine or special citizenship classes, though not jail.

People who force women to don a veil are subject to up to a year in prison and a euro30,000 fine (\$43,000), and possibly twice that if the veiled person is a minor.

The law is worded to trip safely through legal minefields: The words "women," "Muslim" and "veil" are not even mentioned. The law says it is illegal to hide the face in the public space.

While Italy also has a law against concealing the face for security reasons, France's law was the first conceived to target veil-wearers. Sarkozy said he wanted a ban, and that the veils are not welcome in France.

Moderate Muslim leaders in France and elsewhere agree that Islam does not require women to cover their faces, but many are uncomfortable with banning the veil. Religious leaders have denounced the measure, and are struggling with what to advise the faithful.

The plans for a ban prompted protests in Pakistan last year and warnings from al-Qaida. It also has devout Muslim tourists skittish, since it applies to visitors as well as French citizens.

Authorities estimate at most 2,000 women in France wear the outlawed veils. France's Muslims number at least 5 million, the largest such population in western Europe.

The ban affects women who wear the niqab, which has just a slit for the eyes, and the burqa, which has a mesh screen over the eyes.

[http://www.forbes.com/feeds/ap/2011/04/11/general-eu-france-veil-ban\\_8401657.html](http://www.forbes.com/feeds/ap/2011/04/11/general-eu-france-veil-ban_8401657.html)

Kenza Drider, who lives in Avignon and wears a niqab, calls the ban racist. She was planning to attend Monday's protest.

Right before the ban came into effect, she said she would continue to go "shopping, to the post office and to city hall if necessary. I will under no circumstance stop wearing my veil."

"If I am warned verbally and must appear before the local prosecutor.... I will appeal to the European Court of Human Rights," she told AP Television News.

The veil, for her, "is a submission to God," Drider said.

Police complained that the law will be a challenge to enforce.

"The law will be infinitely difficult to apply, and it will be infinitely rarely applied, unfortunately," Emmanuel Roux of the police union SCPN said on France-Inter radio.

He said police have been instructed not to use force to remove the veils, and that if a woman refuses to remove it, the police officer is meant to call the prosecutor for further legal action. Only in very extreme cases, he said, would a woman be jailed for refusal to remove a veil.

Public opinion in Paris on the morality of enforcing the ban appears mixed.

"It's not a racist law. It's just a law that is coming from the history of France and so you need to accept it if you want to integrate into France and with French people," insisted Laurent Berrebe, an economist walking in central Paris on Monday.

Nurse Olfa Belmanaa is opposed. "We are in France, we are in a democratic country where everyone has the right to do what they want. If they want to wear a veil or go completely nude that's their right."

The ban had strong support from France's leading parties on left and right, in a country where some people equate the veils with extremism and security risks. France separated church and state with a 1905 law, but has struggled in recent years to integrate a growing Muslim population and nuances of the Muslim faith.

Police on Saturday arrested 61 people for attempting to hold an outlawed Paris protest against the pending ban.

Many Muslims have also felt stigmatized by a 2004 law that banned Islamic headscarves in classrooms.

---

Jeffrey Schaeffer and Angela Charlton in Paris contributed to this report.

# **Sexual Harassment/ Assault**

## **Assault Victims Raise Clearance Concerns**

*Sexual trauma counseling must be described in full on standard questionnaire*

**By Rick Maze**

**Army Times April 11, 2011 Pg. 8**

Military sexual assault victims applying for or renewing security clearances must report any counseling received for sexual trauma, revealing intimate details to background investigators -- and risking their clearance status as a result of their answers.

Cynthia Smith, a Pentagon spokeswoman, said sexual trauma counseling received in the previous seven years indeed must be reported, but it should not hurt a career. "It is highly unlikely that any mental health counseling, in and of itself, would result in the denial or revocation of a clearance," she said.

Smith did not address the issue of privacy; she stressed this was not a Defense Department policy, but one that applies throughout the federal government.

For sexual assault victims, the requirement to report counseling is especially galling because the government decided in 2008 that service members receiving mental health counseling for combat-related mental health issues, including post-traumatic stress, do not have to report their treatment. That policy change was an attempt to reduce the stigma attached to mental health counseling and the perception that it could threaten a career.

"I cannot think of a single reason why I need to tell anyone about my rape counseling if a soldier with PTSD doesn't have to mention his counseling," said a female airman who asked not to be identified.

She was forced to recount her rape and counseling on clearance forms and when she applied to change military occupational specialties.

"It is very intrusive to have to talk about this again and again," she said. "I had to just suck it up and do my best to pretend nothing happened to me."

### **Form asks for details**

The National Security Clearance Questionnaire, SF 86, requires applicants to provide the dates and reason for mental health counseling and grant government investigators full access to their medical records. It threatens denial of a clearance if applicants are not completely forthcoming.

The universal form is used by all federal agencies that fall under control of the Office of Personnel Management.

Question 21, covering mental and emotional health, says counseling does not have to be listed if it was strictly for a marital, family or grief issue not related to violence by the applicant, or if it was for post-combat adjustment issues.

There has been discussion of granting an exception for sexual assault victims, but Smith said the policy has not changed.

"Those exceptions do not extend to counseling related to trauma resulting from sexual assault," she said.

Victims complain that dates and locations of treatment provide enough detail for people in their chain of command, who might review the application, to figure out when and where a sexual assault took place. If the victim was assigned to a small unit and remote location at the time, this information could be enough for someone to discover many details about the abuse.

<http://militarytimes.com/news/2011/04/military-clearances-sexual-assault-040111w/>

A Defense Department memo signed in November 2009 by top personnel and intelligence officials says that mental health counseling must be reported if it does not fall under one of the listed exclusions, and that an investigator will ask follow-up questions.

The purpose of the memo was to try to reassure military personnel and defense civilians that seeking professional help for mental health issues is not reason, by itself, for a clearance to be denied or revoked. It does not make any specific mention of rape or sexual trauma counseling.

“Seeking professional care for mental health issues is a positive course of action that, by itself, will not jeopardize a security clearance,” the memo says.

A background investigation will determine whether the issue that led to the need for counseling creates a security risk.

### **Confusing guidance**

In December, an outreach coordinator for the DoD’s Sexual Assault Prevention and Response Office told an Army sexual assault victim in an email that she might consider speaking to a military chaplain or to a civilian rape crisis center to avoid having to report the counseling on the security form.

The coordinator, Marci Hodge, also told the assault victim that it was not within DoD’s power to clarify the OPM form.

The Army victim, worried about her ability to get a top secret clearance if she had psychological counseling on her record, also wrote to Army Vice Chief Gen. Peter Chiarelli, complaining that the military’s policy requires victims to “divulge a very intimate and personal detail” to the security official in their unit, to their chain of command and to the investigator who meets with the application to ask questions.

“I am embarrassed by the assault, and I do not want to disclose the counseling I received because this form is going up through my chain of command,” said the woman, who identified herself as an Iraq veteran but did not disclose her name to the general.

In a March 17 email, Chiarelli acknowledged that the policy is confusing and said DoD and OPM “consider consultations with a health care professional regarding sexual assault under the context of grief counseling” — which does not have to be reported on the clearance form.

Asked to comment on Chiarelli’s email, Smith would say only that counseling for sexual abuse victims is not, in fact, considered the same as grief counseling. Chiarelli’s office confirmed the emails were authentic.

The woman said she would disclose her counseling, even though she had been warned by her unit security chief that it might block her from getting a top secret clearance.

“It is an affront that they would think it would be OK for some random investigator to ask about the events involved — things that I cannot even talk about with my husband,” she said.

## **Bill to Allow Sex Assault Victims to Transfer**

**by Bryant Jordan**

**Military.com, April 13, 2011**

Military victims of sexual assault by a fellow servicemember will have the right to transfer to another base under legislation inspired in part by the 2007 murder of a female Marine.

Rep. Mike Turner, R-Ohio, said Lance Cpl. Maria Lauterbach of Ohio was not allowed to transfer from Camp Lejeune, N.C., even after reporting to officials that she'd been raped by another Marine there -- Cpl. Cesar Laurean. Eight months after reporting the alleged rape, Lauterbach, who was pregnant, went missing until her body was found buried in the burn pit behind Laurean's home.

"The terrible lesson of Maria's story is what has helped us in shaping this legislation," Turner said. The five-term congressman announced the Defense Sexual Trauma Response, Oversight and Good Governance -- or "Defense STRONG" -- Act during a Capitol Hill press briefing with co-sponsor Rep. Niki Tsongas, D-Mass.

The lawmakers hope to include the bill in the current year's National Defense Authorization Act.

Tsongas said some of the recommendations in the bill are included in the Defense Department's own task force report on military sexual assault.

"We have to give the Pentagon credit for making strides ... but there are obviously additional steps that must be taken, and this bill seeks to address some of the shortcomings to better protect victims," she said.

The Turner-Tsongas bill would require the services to save records of sexual assault complaints for 100 years and provide servicemembers with lifetime access to the documents. In cases of restricted reports -- which do not trigger a criminal investigation or require the commander be notified -- reports are typically destroyed after a year.

Another key provision of the bill would give victims access to military lawyers even if they are submitting a so-called restricted report, in which their commander is not notified and no criminal investigation is launched. Currently victims get a judge advocate general lawyer only if they file an unrestricted report.

The bill would also prevent defense attorneys from gaining access to conversations between a victim and his or her advocate and any DoD hotline the victim may have called.

Tsongas said she got interested in the issue of military sexual assault after meeting with female veterans returned from deployment. During her talks with them one woman, a nurse, said that while she'd never been sexually assaulted, she lived in fear of it all the time.

"She said she was more afraid of her fellow Soldiers than the enemy," Tsongas said.

Tsongas said there is no way to tell if Pentagon initiatives to stem sexual assault have improved the situation. By DoD estimates, just 13 percent of sexual assaults are reported.

The reports of sexual assaults in the military remain consistent, Tsongas said, and noted that about one in three veterans report having been sexually assaulted while in the military.

Merle Wilberding, an attorney and former Army JAG officer who has been working with Lauterbach's mother since 2007, said that Lauterbach had wanted to transfer away from Camp Lejeune after she filed her rape report, but she was not allowed.

<http://www.military.com/news/article/bill-to-allow-sex-assault-victims-to-transfer.html>

“Maria Lauterbach would be alive today if the Strong Act had been in effect in 2007,” Wilberding said. “Maria wanted to transfer.” During the months she was at the camp her car was vandalized and one evening an unknown man suddenly approached her and “sucker punched” her in the face.

Lauterbach never got the support she needed, he said.

Lauterbach’s killer was convicted of murder in August 2010 and sentenced to life in prison without parole. The prosecution argued that Laurean killed Lauterbach because her rape claim threatened his career. He was cleared of the rape charge after another Marine testified that Laurean had told him the sex was consensual.

# **ODMEO Interest Items**

<http://www.seattlepi.com/news/article/Tribes-face-struggles-with-federal-shutdown-1328277.php#ixzz1IxDCxqAm>

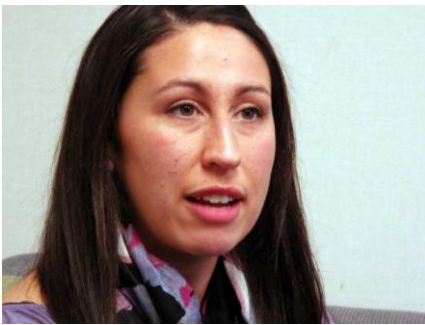
## BIA allays tribes' fears about shutdown fallout

FELICIA FONSECA

Associated Press/Seattlepi, April 9, 2011

FLAGSTAFF, Ariz. (AP) — Ahead of a compromise that kept the federal government running, the [U.S. Bureau of Indian Affairs](#) on Friday allayed some fears of American Indian leaders worried a shutdown would be devastating to tribes, saying law enforcement services and schools it oversees would not be affected.

If a federal budget deal hadn't been reached by midnight, the agency said it would furlough about half its 8,767 employees, stop providing funding for welfare assistance, and cease any road maintenance activities.



*In this Thursday, April 7, 2011 photo, Crystal Leonetti, the Alaska Native liaison for the U.S. Fish and Wildlife Service is shown in her office in Anchorage, Alaska. Leonetti is a government worker facing uncertain times if the government shuts down. She said it's difficult to plan meetings for her job given the uncertainty, but said she would spend time with her children and do some spring cleaning if it were to happen. Photo: Rachel D'Oro / AP*

It also would have discontinued higher education scholarships and programs that provide early childhood development and help students with classroom costs, spokeswoman [Nedra Darling](#) said.

Tribal leaders had feared a government shutdown would be particularly burdensome for reservations, where federal funding often plays a vital role in everything from law enforcement and social services to schools. They expressed worries about school closures and about money for police and other essential services running out.

But Darling said earlier Friday that the BIA will "continue to provide uninterrupted public safety services."

During the 1995 shutdown that lasted 21 days, all Bureau of Indian Affairs employees were furloughed, and there were delays in general assistance payments for basic needs to 53,000 benefit recipients.

Former BIA Assistant Secretary [Carl Artman](#) had voiced concern that another shutdown would mean the nearly 60 elementary, middle and high schools operated directly by the Bureau of Indian Affairs would have to close.

But Darling says those schools, located in 23 states, would stay open because they're not on the funding cycle being considered by lawmakers.

Many tribes had been assessing likely impacts following tribal council meetings and sessions with staff held earlier in the week on how to move forward.

"There would be a significant financial impact on our daily operations, and the (tribal) council would have to make some tough decisions," said [Robert McDonald](#), a spokesman for the Confederated Salish and Kootenai Tribes in Montana.

<http://www.seattlepi.com/news/article/Tribes-face-struggles-with-federal-shutdown-1328277.php#ixzz1IxDcxqAm>

The Choctaw Nation of Oklahoma was assuring members that all services would remain, tribe spokeswoman [Judy Allen](#) said.

In Montana, the [Confederated Salish and Kootenai Tribal Council](#) recently met with department heads to go over their options if federal funding were suspended.

Loren "Bum" Stiffarm, chief administrative officer for the Fort Belknap Reservation, said his main concern is that a shutdown could occur as the Milk River threatens to spill over its banks. The rising river is predicted to go into flood stage within a week.

The reservation in northern Montana is home to the Gros Ventre and Assinboine tribes. Tribal leaders had planned to discuss the Milk River situation with the [Interior Department](#).

Some tribal members and Alaska Natives also are among the federal workers that had been wondering about being furloughed.

Crystal Leonetti is a regional Alaska Native liaison for the [U.S. Fish and Wildlife Service](#). She said workers at her Anchorage, Alaska, office have been told that Monday might have been a matter of coming in for a few hours to change voicemail and outgoing email messages and cancel meetings.

## Gary Locke on reforming a system: Talking leadership with the Secretary of Commerce

By Tom Fox

Washington Post, 6 April 2011



*Gary Locke is the 36th U.S. Secretary of Commerce. He previously was a two-term governor of Washington and is the first Chinese-American in history to serve as governor. Secretary Locke is the presidential nominee to become the next U.S. ambassador to China.*

What leadership lessons did you learn as governor and how are you applying them as Secretary of Commerce?

We really have to recognize that politicals come and go, but civil servants are the ones that will always outlast us. Whether at the Commerce Department or elsewhere, the top leadership can help sketch out the framework and the objectives, but the details have to be done by the line staff and the people who carry out these duties on a day-to-day basis. By having them involved, it offers greater ownership and buy-in, which will help ensure the success of whatever

project you're working on.

When I came to the Commerce Department, there was a lot of discontent and complaints from employees of the Patent & Trademark Office. So two days on the job, I picked up the phone and dialed the heads of the two labor organizations and said, "I'm Gary Locke, Secretary of Commerce." They asked, "Are you calling for the Secretary?" and I said, "No, I am the Secretary." They had never talked to the Secretary before. I brought them into my office and said we need their support to make changes, because on average it takes more than three years to get a patent application processed, which is absolutely unacceptable.

We are embarking on wholesale radical change, not just tinkering around the edges. I really believe you need to set super-high stretch goals that will force people to start from a clean sheet of paper and redesign organizations from scratch, as opposed to just making a few changes here and there. We have to involve the employees, and if we're going to be successful, they have to be part of that design and implementation process; it cannot be designed and written out by the top managers.

### **How do you keep your employees motivated and engaged in the mission of the Department of Commerce?**

I'll go to a meeting with all the employees to talk about issues, make announcements and celebrate their accomplishments or progress on programs and initiatives. We celebrate their progress even if they don't reach their goals. Again, I very much believe that we have to set super-high stretch goals, because it's much better to achieve 75 percent of a super-high stretch goal than 90 percent of a mediocre goal.

For instance, we were hoping to reduce the backlog of patent applications to below 700,000 by the end of 2010. We didn't make it, but we still celebrated. We said, "Great job, let's keep going and not give up." One of my management philosophies is that we will not hang people out to dry,

[http://www.washingtonpost.com/blogs/ask-the-fedcoach/post/gary-locke-on-reforming-a-system-talking-leadership-with-the-secretary-of-commerce/2011/03/04/AFEZa2oC\\_blog.html#pagebreak](http://www.washingtonpost.com/blogs/ask-the-fedcoach/post/gary-locke-on-reforming-a-system-talking-leadership-with-the-secretary-of-commerce/2011/03/04/AFEZa2oC_blog.html#pagebreak)

scapegoat or reprimand them for acting in good faith and taking reasonable risks. Not every baseball team can win 100 percent of their games; one team wins, one team loses. We have to recognize that nobody's perfect, but as long as we're really trying hard and acting ethically, it's OK that things don't go the way we want. We just pat each other on the back and say, "Let's try again."

**What are your biggest management challenges and how are you addressing them?**

The Commerce Department is an agency that has a variety of different bureaus that are seemingly unrelated. But actually, there is a unified theme to all of our programs and services to help companies be more innovative, at home and around the world. We're making sure that people are prepared for "Snowmageddon" or hurricanes, promoting trade and helping companies sell more of American-made goods and services, and using the Census information for businesses to decide where they're going to site a big mall or one of the retail outlets.

I've noticed that we can be a lot more efficient in what we do and be a lot more responsive to our customers and stakeholders by having the different bureaus collaborate. We have a major project on reforming our acquisition processes and procedures to make sure that we have a unified, more coordinated purchasing program. Everybody is also helping to promote the president's agenda to double exports over the next five years. I've been really pleased at the efficiencies that we've been able to gain and the attention to management issues throughout all of the bureaus.

**What do you consider to be a critical event to your becoming the leader you are today?**

When I was elected county administrator for the metropolitan area of Seattle, there was a form that came to me for my signature involving a correction of an employee's classification number but no change in pay. It was signed by [six different people] and then I was the next signature. But I refused to sign. I told them six signatures for something that involves no monetary consequence is unnecessary and excessive. We went back and said, "Let's streamline it and get it down to just a couple of signatures." Everybody fought us, because nobody wanted to be the last person signing the form for fear if something ever went wrong, they would get hung out to dry.

We need to empower people and understand and accept the fact that not everything will go 100 percent according to plan—there will be mistakes along the way. But as long as mistakes are a result of good faith, ethical behavior and people are trying hard, working diligently and acting reasonably, we've got to accept that. Otherwise, we're going to have bureaucracy after bureaucracy, paperwork after paperwork, signature after signature, which takes people away from working on the task at hand and the critical projects.

<http://www.naacp.org/pages/misplaced-priorities>

## Misplaced Priorities: A New Report From NAACP

On April 7th, the NAACP released a new report, [Misplaced Priorities](#), that examines America's escalating levels of prison spending and its impact on state budgets and our nation's children.

*Misplaced Priorities* tracks the steady shift of state funds away from education and toward the criminal justice system. Researchers have found that over-incarceration most often impacts vulnerable and minority populations, and that it destabilizes communities.

The report is part of the NAACP's "Smart and Safe Campaign," and offers a set of recommendations that will help policymakers in all 50 states downsize prison populations and shift the savings to education budgets.

Below are profiles of the six cities studied in the report, as well as three profiled individuals. [Click here to download a PDF of the full report.](#)

### City Profiles:

[Houston, TX](#) In Houston, taxpayers spent over \$175 million to imprison residents sentenced in 2008 from just 10 of the 75 neighborhoods in Houston. While these neighborhoods are home to only about 10 percent of the city's population, they account for nearly a third of the estimated \$500 million spent to imprison people sentenced in 2008 from all of Houston. [Read more.](#)

[Indianapolis, IN](#) Hundreds of millions of dollars are being spent by taxpayers to imprison people from Indiana's biggest city, Indianapolis. 41% of those sent to prison from Indianapolis each year come from zip codes that account for just 16% of the city's population. [Read more.](#)

[Jackson, MS](#) As Jackson's education system experiences budget cuts, taxpayers are spending \$24 million a year to imprison people from Jackson neighborhoods. While these neighborhoods are home to just over half of the city's population, they account for over two-thirds of the total estimated \$35 million spent to imprison people sentenced in 2008 from all of Jackson. [Read more.](#)

[Los Angeles, CA](#) More than 50 percent of the people who were in prison, and are now on parole in Los Angeles live in zip codes that are home to only 18 percent of the city's adults. This means that more than a billion taxpayer dollars are spent every year to incarcerate people from Los Angeles neighborhoods where less than 20 percent of Los Angeles residents live. [Read more.](#)

[New York, NY](#) While the education system of New York city lost hundreds of millions of dollars in state and city funding, taxpayers spent over half a billion dollars (\$539 million) to imprison residents sentenced in 2008. These residents came from twenty-four of New York City neighborhoods representing just over half of the \$1.1 billion in funds spent to imprison people from New York City. [Read more.](#)

[Philadelphia, PA](#) In Philadelphia, taxpayers spent nearly \$290 million to imprison residents sentenced from just 11 of the city's neighborhoods. While these neighborhoods are home to just over one-quarter of the city's population, they account for more than half of the over \$500 million dollars spent to imprison people sentenced in all of Philadelphia. [Read more.](#)

## Case Studies:



### **[Marlo A. Hargrove Sr, Baltimore MD](#)**

Hargrove was born into a family where both parents suffered from alcoholism. He started selling drugs at age 10 and using drugs by age 12, eventually dropping out of high school in the ninth grade.

He became a serious drug abuser and found himself engaged in a "revolving door experience with the Department of Corrections". He was incarcerated multiple times for drug use and alcohol abuse, becoming, in his words, a "jailbird". [Read more.](#)



### **[Kenny Harrigan, New York, NY](#)**

In 1988, Mr. Harrigan was homeless and had a drug abuse issue. He was attempting to protect his belongings (including ID, birth certificate, etc.) from the rain and from falling into others' hands, so he went to put his things in a tool shed that was in the yard of a house. He never made it inside, was at the window, when someone called the police. The police came and arrested him, he plead guilty to 2nd degree burglary and served 6 months with 5 years probation. [Read more.](#)

### **[Hamedah Hasan, Nebraska](#)**



Hamedah Hasan, a grandmother and mother of 3, she was convicted for playing a peripheral role in a crack cocaine conspiracy headed by a family member. Hamedah had fled a physically abusive relationship and sought shelter with her cousin, who after several months began asking to her run minor errands for the operation. Hamedah's was a first time, nonviolent offense. Although she never used drugs and felt she had no choice but to participate at the time, Hamedah admittedly chose to engage in the wrong doing. [Read more.](#)