

This bill would have been part of the Defense Authorization bill this year, and it may be incorporated into that legislation in conference committee. It is my hope that the Defense Department won't wait to be forced to do the right thing.

Our vote tonight is to send a message to the Defense Department loud and clear: your policy requiring or strongly encouraging servicewomen stationed in Saudi Arabia to wear the abaya is without merit and is offensive to the American people. You need to change it, or the Congress will change it for you.

Mr. Speaker, those who choose to serve our country, regardless of gender, should be treated with respect by their commanders. There's a lot of talk about loyalty from the bottom up. But loyalty from the top down is more important, and more rare. Since the beginning of the Republic, Americans, both men and women have done their duty to secure the liberties that we enjoy. Women make first-class soldiers and should not be treated like second-class citizens.

But this legislation goes far beyond issues of class and respect for women in the service. The abaya is a garment that covers a Muslim woman from head to toe with only the eyes showing. It is associated by others and by servicewomen with the Muslim religion. Forcing American servicewomen—most of whom are Christian or Jewish—to wear traditional Muslim dress is deeply offensive to their religious beliefs and possibly unconstitutional.

But the Defense Department just doesn't seem to get it. They would never force American servicemen to wear a yarmulke in Israel or a crucifix in order to avoid harassment or be sensitive to the local culture. Indeed, the same regulation that ordered women to wear the abaya in Saudi Arabia prohibited servicemen from wearing local Saudi dress for men.

The Defense Department has never seemed to be troubled by this double standard that directs servicemen to dress conservatively while prohibiting the wear of local dress, and presumes that young servicewomen could not or would not follow similar command guidelines and ordered them to wear the abaya.

The Department's modified policy that "strongly encourages" women to wear the abaya only sounds satisfactory to people who have never been in the military. When an officer "strongly encourages" any young troop to do something, that is not optional. It means you darn well better do it if you value your career in the military. It means if you don't do it, you risk being branded as an attitude problem, a troublemaker, someone deserving extra (and certainly unwanted) attention that is likely to make your life a whole lot harder and possibly downright miserable. Every veteran in this body knows what I'm saying is true.

DOD's policy change to "strongly encourage" wearing the abaya was clever as a public relations move, but not clever enough to hide from this body that DOD wishes to preserve a practice offensive to military women and offensive to the American people and the beliefs we cherish.

Mr. Speaker, this legislation states that a member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia. It prohibits taxpayer funds from being used to purchase abayas. It requires commanders to inform their troops of this policy and provide them a copy of it in writing.

The language "formally or informally compelled" is intended to cover a range of synonyms for "strongly encouraged". We did not want to prohibit DOD from "encouraging" wear of the abaya while they change their policy to "recommend" it, or "suggest" it. We are not interested in playing with words. DOD may not formally or informally compel wear of the abaya in any way. The current DOD policy of "strongly encouraging" wearing of the abaya is not consistent with this legislation and, if this legislation passes, it must be changed.

There is one exception in this legislation, and it deserves explanation. The Defense Department initially justified their abaya policy on the grounds of host nation sensitivity, even though neither the Saudi government nor the State Department require or strongly encourage wearing the abaya. In fact, the State Department also does not recommend that tourists—arguably the least prepared to deal with religious enforcers, called Mutawa'ihin—wear abayas. The recommendation for tourists is the same as for the male service members: conservative clothes that cover the arms and legs.

Then, as pressure grew, the Defense Department modified their policy and the justification for it on the grounds of "force protection". They maintain that they must continue to have the option of ordering women to wear the abaya if a commander considers it to be necessary for the safety of our servicewomen.

In passing this legislation, the Congress is explicitly rejecting this "force protection" argument. Indeed, in negotiations with DOD staff before the FY03 Defense Authorization Act came to the floor of the House, the DOD argued for a "force protection" exception that was so broad that it made the prohibition meaningless. The members of Congress involved in these discussions rejected DOD's arguments and the force protection exception is not included in this bill.

What we have included is a much narrower exception that says the commander of the United States Central Command may require the wear of the abaya in "specific circumstances" that "constitute an operational requirement essential for the conduct of the military mission."

First, the Commander of USCENTCOM may not delegate this authority to anyone else below him. Second, he may not do so based on a general need for "force protection" or "safety". The only time he may do so is if it is an operational requirement to complete the military mission.

In crafting this exception, we had in mind very unusual circumstances like special operations requiring concealment, an unusual need to move people in-country without the knowledge of the best country, or if there were widespread civil unrest to extract service members from a dangerous situation without detection or provocation.

Mr. Speaker, I hope this House will be heard today and that we send a resounding message to the Department of Defense. Your policy on wearing the abaya is inconsistent with our values as a nation and we insist that it be changed.

Mr. PAUL. Mr. Speaker, while I support this legislation, I would like to make a few observations. It is unfortunate that we are in a position where we must act on such legislation. Because of our unwise policy of foreign interventionism, which has placed thousands of

American service members in the Middle East including in Saudi Arabia, we are placed in a no-win situation. Either we disregard and mock the customs and culture of Saudi Arabia by refusing to adhere to dress codes that they have adopted, or we subject American women to a dress code that is offensive to our own culture and customs and is disrespectful to the sacrifices they are making for this country. What a choice, Mr. Speaker!

I am voting for this bill because I believe, on the whole, that it is preferable to place concerns about our own citizens over those whose homeland is being defended by American troops. Young Americans join the all-volunteer military as an act of patriotism in hopes of defending their country and their constitution. We in Congress must honor that sacrifice. It is bad enough that our troops are sent around the world to defend foreign soil. Asking them to comply with foreign customs which violate basic American beliefs about freedom in order to appease the very governments our troops are defending adds insult to injury. I do not believe a single female member of the armed forces enlisted for the "privilege" of wearing an abaya while defending the House of Saud or that one single male member of the armed forces enlisted in order to force his female colleagues to wear an abaya.

The fact remains that we continue to maintain troops in a place where they are not needed. It is the consequences of this dangerous policy that concern me most. Isn't it time to return to a more sound foreign policy, one that respects the culture of others by not intervening in their affairs? Is it not time to bring American troops home to protect America, rather than continuing to station them in far off lands where the protection they offer is not needed?

Ms. SLAUGHTER. Mr. Speaker, I rise today in support of this bill to prohibit the Department of Defense from requiring female service members to wear the 'abaya', a long black robe covering the body from head to toe, worn with a head scarf and often a veil.

Currently, the DOD requires U.S. servicewomen to wear the abaya when they leave base in Saudi Arabia. DOD policy also mandates that servicewomen cannot sit in the front seat of a vehicle when traveling off-base. I am outraged that DOD would not only tolerate, but perpetrate, this type of discriminatory treatment against American servicewomen. Our women in uniform are performing their duty to protect the interests of both the United States and of the host country. It is unfortunate that the Saudi government has so little appreciation for the contributions of U.S. servicewomen as to allow harassment of them to take place at the hands of the Saudi religious police. But it is unconscionable that our own government should uphold this institutionalized disrespect of women by requiring that Americans conform to these standards.

U.S. servicewomen are valued, respected, capable members of our armed forces. It is the duty of the U.S. government, including its military, to demonstrate to other nations the high regard in which we hold them.

It is important to note that official Saudi policy does not require non-Muslim women to wear the abaya. Similarly, the U.S. State Department allows its female employees to use their own best judgment when deciding how to dress when they go outside the embassy. The Department of Defense should show the same