



MEMORANDUM

To: Senate Armed Services Committee

From: Center for American Progress Action Committee

Subject: Ending “Don’t Ask, Don’t Tell”

The Center for American Progress Action Committee strongly supports President Barack Obama’s decision to work with Congress and the military to repeal “Don’t Ask, Don’t Tell” this year. The president’s announcement was an important and historic step toward ending this outdated and discriminatory policy that has led to the discharge of nearly 14,000 patriotic men and women from military service since the law was enacted more than 16 years ago. In addition to these involuntary discharges, many thousands of talented gay and lesbian Americans leave the services every year of their own volition or choose not to join at all because of the policy.

As Secretary of Defense Robert Gates and Chairman of the Joint Chiefs of Staff Admiral Michael Mullen prepare to testify before the Senate Armed Services Committee on Tuesday, February 2, it is self-evident that the U.S. military needs every available qualified service member in order to complete our missions in Iraq and Afghanistan.

As those returning from both theaters of war frequently attest, on the battlefield it doesn’t matter if you are gay or straight—it only matters if you can get the job done. And no reputable or peer-reviewed study has ever shown that allowing service by openly gay personnel compromises military effectiveness. Indeed, the militaries of some of the United States’ closest allies—including Britain, Canada, and Israel—have successfully integrated openly gay men and women into their ranks without incident.

Recent surveys of returning U.S. service men and women from the wars in Iraq and Afghanistan have demonstrated that there is growing acceptance of gay and lesbian service members in the armed forces. Moreover, the American people recognize that the ban does not make sense: Recent polling shows that the American public supports repealing DADT by a 55 percent to 35 percent margin.

There is enough evidence to confirm that reversing the ban on gay people in the military will not undermine unit effectiveness or unit cohesion—the primary reason cited in support of the policy.

Now that President Obama has set a goal of repealing the law this year, those in favor of the status quo will undoubtedly protest that there are numerous administrative questions that need to be answered before openly gay men and women can serve in the military. What will the military’s housing policy be with respect to openly gay men and women? Will partners of gay and lesbian service members receive the same benefits as straight service members? What laws regulating social conduct within the military must be updated to conform to the new policy?

To answer these questions, Congress should work with the administration to immediately appoint a high-level commission to study how—not whether—to implement a repeal of the ban on gay people in the military. Such a commission should be modeled after the Gates Commission, which President Richard Nixon established in 1969 to plan for how

to move the military to an all-volunteer structure. The president should give the commission authority to sort out the complicated legal and administrative aspects of the law's repeal, but he must provide clear leadership and guidance to ensure that the commission understands his objective of overturning the ban—an element that was sorely lacking from the working group President Bill Clinton established during his effort to address this issue in the early 1990s. Congress and the administration should give the commission a six-month deadline to ensure the policy can be repealed this year.

Legislative action is required to repeal DADT permanently. Once the commission has given its recommendations, Congress should use them to review and revise rules and regulations across the military for all service members—gay and straight—without regard to sexual orientation. Reports that the Department of Defense will not take action to discharge service members whose sexual orientation is revealed by third parties or jilted partners while Congress is debating the issue are encouraging. But President Obama should go one step further and sign an executive order suspending further discharges on the basis of a service member's sexuality until Congress can take action on this issue.

After eight years of war in Afghanistan, and almost seven in Iraq, we can no longer afford to keep talented, patriotic men and women from serving their country in the military solely on the basis of their sexual orientation. Now is the time to repeal this outmoded, unfair, unnecessary, and costly law.