



# ‘Don’t Ask, Don’t Tell’ Repeal Moves Forward

## Gay Men and Women Will Serve Openly This Year

Crosby Burns and Jeff Krehely | March 30, 2011

Many assumed “Don’t Ask, Don’t Tell,” the military’s ineffective and outdated ban on gay men and women serving openly in the U.S. armed forces, was automatically repealed with the stroke of President Barack Obama’s pen after he signed the Don’t Ask, Don’t Tell Repeal Act of 2010 into law last December. But that was only the first of many steps to implement and finally repeal “Don’t Ask, Don’t Tell.”

The Center for American Progress has pointed out many times that this policy wastes hundreds of millions of taxpayer dollars, discriminates unfairly against gay men and women, and weakens our national security by making military personnel decisions based on factors that have nothing to do with performance and ability.

Fortunately, Congress voted to repeal the ban last fall. Under the repeal statute the ban will be overturned 60 days after the president, the secretary of defense, and the chairman of the Joint Chiefs of Staff all certify that repeal will not affect the recruitment, retention, or readiness of the U.S. military. This is likely to occur once the military has completed training all service members and updated all Pentagon personnel policies to reflect the open service of gay men and women. And while the Pentagon has significantly raised the level of scrutiny needed to discharge gay and lesbian service members, “Don’t Ask, Don’t Tell” will continue to be the law of the land until our military leaders issue their certification.

President Obama, Secretary of Defense Robert Gates, and Chairman of the Joint Chiefs of Staff Adm. Michael Mullen are committed to an expeditious and effective implementation of repeal. President Obama forcefully articulated in his State of the Union address that “starting this year, no American will be forbidden from serving the country they love, because of who they love.” Secretary Gates stated that the armed forces are implementing repeal “as expeditiously as we can.” And Adm. Mullen said that quickly repealing “Don’t Ask, Don’t Tell” is the “right thing to do.”

Each branch of the military has begun implementing the repeal of “Don’t Ask, Don’t Tell” in accordance with Obama, Gates, and Mullen’s requests to do so promptly and professionally. In addition to updating personnel policies to reflect open service,

implementation started with the launch of a rigorous training program that will reach all of our nation's 2.2 million troops to ensure a smooth transition to open service. This training shows exactly what military experts have predicted for years: Repealing the military's ban will be a nonissue for the overwhelming majority of people serving in the U.S. armed forces.

Below we will review how implementation has proceeded thus far, as well as some remaining issues facing the Pentagon relating to open service.

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## Early implementation steps

All branches of the military are implementing the first steps of repealing the military's ban on gay and lesbian troops. These steps include updating the Pentagon's policy manuals, directives, and training materials so that a single standard of conduct will apply to all military personnel whether they are straight or gay. Implementation also requires updating regulations dealing with benefits, housing, and conduct to reflect open service of gay and lesbian troops. These implementation steps are well underway.

Perhaps the most important component of implementation involves developing a training regimen to inform all service members about what open service will mean once Obama, Gates, and Mullen officially certify repeal. The Department of Defense gave each service branch significant flexibility in determining how and on what timetable it conducts its training. But most branches outlined similar training plans.

For example, each branch broke training into three tiers. Tier 1 includes training those serving with special skills, including lawyers, chaplains, judge advocates, personnel specialists, and benefits counselors. Tier 2 includes training military leaders, such as commanders, senior noncommissioned officers, and civilian supervisors. Tier 3 includes training the remaining forces at large.

In terms of content, most if not all branches developed training materials that include PowerPoint presentations, face-to-face instruction, and short "vignettes," which involve specific scenarios and situations. One vignette asks: "A Sailor requests emergency leave after receiving a Red Cross message concerning the crucial condition of his same-sex partner. ... is the same-sex partner eligible for Emergency Leave?" The answer is yes, by the way.

All of the briefing materials also assure soldiers that they will not be discharged for opposing repeal of "Don't Ask, Don't Tell." The materials stress that training is not meant to change troops' individual beliefs about gays and lesbians. Instead, training intends to ensure professional respect for all colleagues, gay or straight.

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## Assessing implementation

The trainings are proceeding smoothly so far. Each branch has completed or nearly completed training its Tier I and Tier II audiences. They hope to complete their Tier III training within the next couple of months. The Marine Corps and Navy plan to complete their trainings in late spring or early summer of this year. The other service branches—including the Army, which is the largest—are on track to complete their trainings later in the summer.

Opponents feared repealing “Don’t Ask, Don’t Tell” would result in a mass exodus of troops opposed to this policy. Sen. John McCain (R-AZ) predicted as many as 260,000 service members would leave the military if Congress repealed the gay ban.

Despite these fears, there has been little resistance to this policy with training well underway. As the Center for American Progress has documented, active-duty service and reserve components met or exceeded their recruitment and retention goals between October of last year and February of this year.

This minimal resistance to repeal should hardly be surprising, though. A Department of Defense survey conducted last year revealed that the vast majority of troops thought repealing “Don’t Ask, Don’t Tell” would not have a negative effect on troop morale or military readiness.

Moreover, our closest allies saw no such disruption to military operations when their gay bans were overturned. In England, for example, military readiness was not affected even though its troops resisted lifting the gay ban at significantly higher rates than U.S. troops reported last year.

Still, many speculated that repeal would meet significant resistance in the Marine Corps, where the Marine combat arms unit showed the greatest resistance to repealing the gay ban according to the Pentagon survey. But Commandant of the Marines Gen. James Amos is keeping his promise to faithfully implement repeal despite his initial resistance and many of his troops’ objections to open service, stating, “We will step out smartly to faithfully implement this new law. It’s important that we value the diversity of background, culture, and skills that all Marines bring to the service of our nation.”

To date, the Marines have experienced no widespread disruption to its military operations nor a decrease in its recruitment or retention levels because of repeal. Even as training continues into combat zones, implementing repeal will have “minimal impact” on the Marine Corps.

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## Remaining issues

“Don’t Ask, Don’t Tell” is clearly on track to be fully repealed this year. Our military’s leadership has made repeal a priority and it is carrying out the necessary steps to achieve this goal. That said, in the months ahead the Pentagon should work to minimize two issues that could create barriers to equal treatment for gay service members and veterans.

First, soldiers need information on how to handle incidents of discrimination and harassment based on sexual orientation. The Department of Defense should give soldiers clear reporting guidance and inform the forces about how it will investigate these incidents. Going forward, personnel training programs should include this information as well as clear language that the military will not tolerate discrimination and harassment based on sexual orientation.

Second, more than 14,000 troops were discharged under “Don’t Ask, Don’t Tell” since its inception 17 years ago. Many of these troops have faced difficulties accessing the full range of benefits normally afforded to veterans such as hiring preferences, health care services, disability benefits, education benefits, and home financing assistance.

The Pentagon has already stated that soldiers in good standing who were discharged under “Don’t Ask, Don’t Tell” for being gay will be able to re-enlist once “Don’t Ask, Don’t Tell” is fully repealed. But it should also review its benefits policies to ensure veterans who don’t return to service have full access to the benefits to which they are entitled.

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## Conclusion

With training well underway, it looks very likely that gays and lesbians will be able to serve their country openly before the end of this year. When that time comes our government will no longer squander taxpayer dollars on the enforcement of “Don’t Ask, Don’t Tell” and our armed forces will be stronger because they will be retaining qualified troops who would have otherwise been discharged.

Gay and lesbians have long served their country with honor and fidelity. Beginning this year, they will also be able to do so honestly.

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