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Contact: Indra Lusero, Assistant Director, 303-902-9402, indralusero@palmcenter.ucsb.edu

NEW ENDORSEMENTS FOR EXECUTIVE ORDER ON GAY TROOPS
Center for American Progress and Robert Shrum Join Call for “Stop-Loss” Order

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SANTA BARBARA, CA, June 24, 2009 – The Center for American Progress (CAP) has issued a five-step plan for repealing “don’t ask, don’t tell” that begins with an executive order suspending gay discharges.

According to the report, “President Obama should issue an order prohibiting the Secretary of Defense... from establishing, implementing, or applying any personnel or administrative policies, or taking a personnel or administrative action, in whole or part on the basis of sexual orientation.” The report says that this would “include banning further dismissals on the basis of DADT.” The legal basis for issuing such an order derives from the president’s “stop-loss” authority.

The plan is contained in a new CAP report called “Ending ‘Don’t Ask, Don’t Tell’: Practical Steps to Repeal the Ban on Openly Gay Men and Women in the U.S. Military,” and was written by Lawrence J. Korb, Sean E. Duggan, and Laura Conley.

Robert Shrum, a Democratic party elder statesman, has said that President Obama already should have issued an executive order on gay troops. Obama could have maintained “credibility among gays,” Shrum said, “if he had issued a ‘stop-loss’ order ending the discharge of gay service members while allowing the Pentagon to proceed with a longer-term review of the ‘don’t ask, don’t tell’ policy. The president could have justified this on grounds of military need.” Shrum’s remarks appeared in yesterday’s edition of *The Week*.

Other prominent voices calling for an executive order include the Human Rights Campaign, the Servicemembers Legal Defense Network, and Knights Out, an organization of West Point graduates co-founded by Lt. Dan Choi, the Arabic translator about to be discharged because he's gay. The New York Times editorial page has said that President Obama should consider signing an executive order.

Seventy-seven members of Congress stopped short of calling for an executive order in a letter to Obama this week, but urged the White House instead to issue a moratorium suspending gay discharges from the military. Today, the White House responded to the Congressional letter by reiterating the



President's commitment to legislative repeal at some future point rather than an immediate administrative suspension.

Aaron Belkin, Palm Center director, questioned the logic of that statement. "The White House acts as if an executive order and legislative repeal are mutually exclusive options," he said. "The whole point of the executive order is that it untangles the political stalemate and paves the way for legislative repeal."

The idea of ending the ban by executive order gained momentum after the release last month of a Palm Center study showing that the president has the authority to suspend "don't ask, don't tell" with the stroke of a pen. Before that, many argued that only Congress or the courts could lift the ban on service by openly gay troops.

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The Palm Center is a research institute at the University of California, Santa Barbara. The Center uses rigorous social science to inform public discussions of controversial social issues, enabling policy outcomes to be informed more by evidence than by emotion. Its data-driven approach is premised on the notion that the public makes wise choices on social issues when high-quality information is available. For more information, visit www.palmcenter.ucsb.edu.