



FOR IMMEDIATE RELEASE

January 26, 2010

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

EXPERTS PREVIEW OBAMA'S OPTIONS ON "DON'T ASK, DON'T TELL"
Eyes are on the President's Leadership During State of the Union

SANTA BARBARA, CA, January 26, 2010 - The Palm Center today shared its analysis of President Obama's likely options as he is expected to address the "don't ask, don't tell" law and policy during Wednesday night's State of the Union Address. The analysis appears below.

"President Obama has the opportunity to announce the end of one of the most notorious policies of federal discrimination left standing in the United States," said Christopher Neff, Deputy Executive Director of the Palm Center. "This is a defining moment." Neff noted that last week, House Armed Services Committee Chairman Skelton (D-MO) expressed his support for retaining "don't ask, don't tell," while this week Senate Armed Services Committee Chairman Carl Levin (D-MI) reiterated his long-time support for repealing the policy. "The President is not just the tie-breaker here," said Neff. "He's the Commander-in-Chief, and he gives the orders as head of the armed forces. The question now is how strong a position the President will take."

In recent months, "don't ask, don't tell" has been identified as one of the main "enthusiasm gap" issues for Democrats and one of the signature campaign promises yet to be addressed by the President. Reports indicate that President Obama may announce support from military leaders for repeal of "don't ask, don't tell" in his Wednesday night speech. If true, the White House must decide how exactly to deploy that support to navigate the challenging waters of changing the law in a tough political climate.

"Presidents are tasked with important choices and this is one of those choices," said Nathaniel Frank, Senior Research Fellow at the Palm Center. "The military community and gay community will be watching to see how the President keeps his promises or keep us waiting." Frank, a historian who has closely studied the history of this controversial issue, said that delays and inaction by both political and military leaders have caused more problems than resolutions in the past. "The key here is acting decisively, just as in war itself," he said. "This is essential both politically and operationally, because the last thing that's needed is a protracted replay of the 1993 culture wars."

Neff noted that the upcoming annual budget hearings in early February will be the next test for the President's position. These budget hearings will bring the service chiefs from all the departments before the House and Senate committees ahead of any formal "don't ask, don't tell" hearings and could serve as a platform for the delay strategy offered by opponents of repeal.



POLITICAL ANALYSIS

The Palm Center has identified three potential positions that President Obama might take if he addresses “don’t ask, don’t tell” in his State of the Union Address.

Position #1: This option suggests that the President could announce a new administration-driven strategy which delivers significant change. Under this calculus, there will not be any votes in the House or Senate on repeal in 2010. The judgment is that it is too difficult for many moderates and this likely means that repeal will not be included in the Defense Authorization base bill from the Pentagon. Instead, President Obama would announce executive and administrative actions to significantly alter “don’t ask, don’t tell” in 2010. This would likely include additional discretion by the Secretary of Defense to change the implementation of the policy and reduce discharges.

Position #2: The President may offer a more resolute legislative strategy. He could announce that with the support of Secretary Gates and Chairman Mullen, he will include repeal language in the Defense Authorization bill coming over shortly from the Pentagon to House and Senate committees. It is also possible that he could endorse long-mentioned stand-alone legislation in the Senate to match efforts in the House. This position would represent significant, but likely incremental, change. Repeal legislation faces hurdles to passage in 2010, but the President will have taken a major step forward with the base bill inclusion.

Position #3: The White House may decide to only mention “don’t ask, don’t tell” in passing or announce support from military leaders without an affirmative strategy put forward. This would represent the least embraced of the three potential options.

Among the factors influencing the White House’s position and options has been a coordinated effort by some in the Pentagon to try to delay change by bumping it from the 2010 legislative calendar. The Palm Center has noted that twice now, following positive news about repeal of “don’t ask, don’t tell,” there have been leaks from the Pentagon making the case that now is not the time for reform. The crux of this argument is that implementing repeal would be too disruptive while troops are fighting two wars. As a result, “don’t ask, don’t tell” repeal should wait for a better time and move at a slower, more deliberative pace.

However, rather than arguing directly against the President’s position, opponents of repeal are attempting to influence the timeline for repeal and ensure deference is given to the Pentagon in determining what post-repeal implementation looks like. These have included the following statements:

Last November, Marine Corps Commandant General James Conway was quoted as stating, “Our Marines are currently engaged in two fights, and our focus should not be drawn away from those priorities. When the time is right, we have full confidence that we will be asked to provide the best military advice concerning the readiness



of the Corps as it relates to this issue."

This month, a memo leaked from the Joint Chiefs of Staff Legal Counsel stated, "Now is not the time. The importance of winning the wars we are in, along with the stress on the force, our body of knowledge and the number of unknowns, demand that we act with deliberation."

Also this month, Rep. Skelton said it is "not a good idea to change the law right now."

###

The Palm Center is a think tank at the University of California, Santa Barbara. Since 1998, the Center has been a leader in commissioning and disseminating research in the areas of gender, sexuality, and the military. For more information visit www.palmcenter.ucsb.edu.