



Written by [Raven Clabough](#) on December 18, 2010

“Don’t Ask, Don’t Tell” Repealed

[Fox News](#) reports, “Once the law is repealed, gays will be openly accepted by the military for the first time in U.S. history, and can acknowledge their sexual orientation without fear of being kicked out. More than 13,500 service members have been dismissed under the 1993 law.”

Saturday’s Senate vote followed a Thursday night vote in the House of Representatives, where the bill was passed 250 to 175.

Two previous votes to repeal the policy failed in Congress this year. Likewise, language repealing DADT originally appeared in the military authorization [defense bill](#), which was ultimately rejected because of controversial items such as the DADT provision and the DREAM Act.



Elected officials then decided to create a stand-alone bill repealing the policy. The legislation was cosponsored by House Majority Leader Steny Hoyer and Representative Patrick Murphy of Pennsylvania.

Votes on legislation repealing “Don’t Ask, Don’t Tell” followed a series of judicial actions relevant to the military policy. On [September 9](#), Judge Virginia Phillips declared the policy to be unconstitutional. Judge Phillips then issued an injunction for an immediate suspension of the policy, and rejected the government’s stay request to halt the enforcement of her decision.

In response to the Judge’s decisions, John Eidsmoe, a retired Air Force lieutenant colonel and a law professor, told *The New American*, “Her decision is harmful to the discipline and health of military personnel. Likewise, it will have a serious negative effect on combat bonding.” Eidsmoe authored the book *Gays and Guns: The Case Against Homosexuals in the Military*.

In November, however, a [federal appeals court](#) ruled that the military should continue to enforce its DADT policy while the federal government pursued appeals of Judge Phillips’ ruling.

Meanwhile, Democrats pointed to a Pentagon [study](#) as evidence that the policy could be repealed with minor ramifications. The Pentagon completed its year-long study of the military’s “Don’t Ask, Don’t Tell” policy on November 30, which ultimately declared that a repeal of the policy would pose minimal risks, though the results of the study conflicted in a number of areas. The survey seemed to indicate that some military groups still remained opposed to repealing the policy — most importantly, combat troops.

Responding to the sentiments articulated by combat troops in the survey, [General James Amos](#), a new commandant of the U.S. Marines Corps., urged Congress to reconsider overturning “Don’t Ask, Don’t Tell,” contending that now was the wrong time to do so, as American troops are still at war in Afghanistan.



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Nevertheless, the bill passed both chambers of Congress and serves as a victory for President Obama, who during his campaign promised to see to the end of the 17-year policy.

Fox News writes, "Under the bill, the president and his top military advisers — the defense secretary and chairman of the Joint Chiefs of Staff — are required to certify to Congress that lifting the ban won't hurt troops' ability to fight. After that, 60 days must pass before any changes to go into effect."

Democrats managed to gain the support of six Senate Republicans: Scott Brown of Massachusetts, Lisa Murkowski of Alaska, Mark Kirk of Illinois, George Voinovich of Ohio, and Susan Collins and Olympia Snowe of Maine.

There remained a small group of Republicans who were pushing to maintain the law at least during wartime, including Senator John McCain. "We send these young people into combat. We think they're mature enough to fight and die. I think they're mature enough to make a judgment on who they want to serve with and the impact of their battle effectiveness," McCain stated.

Of course, if "Don't Ask, Don't Tell" should not be repealed during wartime, then it should not be repealed any time, since even during peacetime the purpose of the military is to be prepared to engage in combat when necessary to defend the country.

With the "Don't Ask, Don't Tell" repeal moved forward via stand-alone legislation, the repeal provision has been removed from the still-pending military authorization defense bill, which is expected to come up for a vote in the House next week.



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