



Written by [Raven Clabough](#) on December 17, 2010

## Senate May Have Enough Votes to Repeal DADT

The [New York Times](#) reports, “Embattled and left for near dead last week, the effort to allow gay men and lesbians to serve openly in the military gained significant momentum on Thursday with three more Republican Senators agreeing to vote to end the ‘don’t ask, don’t tell’ policy.”

The bill had one Republican sponsor in the Senate, Susan Collins. Since then, however, Scott Brown of Massachusetts, Lisa Murkowski of Alaska, and Olympia J. Snowe of Maine each joined Collins in support of the measure.



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Gail Gitcho, a spokeswoman for Senator Brown, articulates Brown’s feelings towards the bill: “Senator Brown accepts the Pentagon’s recommendation to repeal the policy after proper preparations have been completed. If and when a clean repeal bill comes up for a vote, he will support it.”

The recommendation by the Pentagon to which Gitcho refers is a year-long Pentagon [study](#) that ultimately determined that there would be minimal complications if DADT were repealed. The results of the study were released on November 30, but have been considered conflicting as they reveal that some military groups are more opposed to the repeal than others, most notably, combat troops.

It is the discomfort expressed by combat troops over repealing the military policy that has prompted [General James Amos](#), new commandant of the U.S. Marines Corps., to urge Congress to reconsider overturning “Don’t Ask, Don’t Tell” while American troops remain at war in Afghanistan.

Regardless of Amos’ appeal, however, the House moved forward to vote on what was a stand-alone bill seeking repeal. The measure originally appeared in the [military authorization defense bill](#), prompting Senate Republicans to launch a filibuster that could not be broken by Senate Democrats.

The stand-alone bill currently has the support of 54 Senate Democrats, two Senate Independents, and four Senate Republicans, which means that it has the necessary 60 votes to pass. Democrat Ron Wyden of Oregon will not be present to vote on the measure as he will be undergoing surgery for prostate cancer. The only Democrat to oppose the measure is Joe Manchin III of West Virginia.

As Congress is on its way to repeal the measure using the legislative process, the Log Cabin Republicans, a gay rights group, have attempted to do so by way of the judicial system. In [Log Cabin Republicans v. United States](#), Judge Virginia Phillips declared the military policy to be unconstitutional. She later reaffirmed her decision when she issued an [injunction](#) for immediate suspension of the policy and then rejected the federal government’s [stay request](#) to halt enforcement of her decision.

On November 1, however, a [federal appeals court](#) ruled that the military should maintain DADT while the federal government continues to pursue appeals against Judge Phillips ruling.

Members of Congress were hesitant to move forward on the legislation until the results of the Pentagon



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study were released. With those in hand, and support in the Senate, it seems that gay activists groups may have cause for celebration.

Likewise, passage of the repeal legislation will provide Democrats with a prominent accomplishment to which they can point in a lame duck session where most of the Democratic agenda has been DOA, including the omnibus spending bill and the DREAM Act.

On the other hand, the *New York Times* indicates that the final outcome is all but certain:

“Although Mr. Reid will try to avoid it, Republicans could call for amendments, which would delay a vote. Further, White House officials and Senator Joseph I. Lieberman, an independent from Connecticut, have suggested that some Republicans are threatening to block the New START Treaty if the military repeal goes forward.”

Senate Majority Leader Harry Reid states that a vote on the repeal can take place as early as Saturday.



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