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Contact: Indra Lusero, Assistant Director, 303-902-9402, [indralusero@palmcenter.ucsb.edu](mailto:indralusero@palmcenter.ucsb.edu)

SEVENTY SEVEN MEMBERS OF CONGRESS URGE OBAMA TO SUSPEND GAY BAN  
New Strategy Links Immediate Executive Action Followed By Long Term Congressional Repeal

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SANTA BARBARA, CA, June 22, 2009 -- In a letter sent to President Obama today, seventy-seven members of Congress called on the White House to issue a moratorium suspending gay discharges from the military. The new strategy envisions immediate executive action, to be followed by legislative repeal of the “don’t ask, don’t tell” law at a subsequent time. The letter calls on the President “to exercise the maximum discretion legally possible in administering ‘don’t ask, don’t tell’ until Congress repeals the law.”

The letter outlines a new, two-step repeal plan which begins with a request that the President, “direct the Armed Services not to initiate any investigation of service personnel to determine their sexual orientation, and that [he] instruct them to disregard third party accusations that do not allege violations of the Uniform Code of Military Justice.”

The letter signals renewed efforts to stop gay discharges immediately while repeal legislation moves through Congress at a slower pace. It states that after the White House suspends the gay ban administratively, "Congress must then repeal and replace ‘don’t ask, don’t tell’ with a policy of non-discrimination." This strategy marks the first time that Congress has called on the White House to take the lead by issuing a presidential moratorium to suspend the gay ban while the legislative process unfolds.

In 2005, bipartisan repeal legislation was introduced in the House and has been reintroduced in the subsequent two Congresses. Companion legislation has not been introduced in the Senate.

Lt. Dan Choi, an Arabic translator whose discharge under “don’t ask, don’t tell” is imminent, stated that, “I am delighted that so many members of Congress are calling on the White House to allow me to do my job in Iraq, and to allow all other loyal gay service members to do their jobs as well.” Today’s Congressional letter cites Choi’s impending discharge as an example of why swift presidential action is needed.



The legal basis for executive authority is outlined in a recent Palm Center study entitled, "How to End Don't Ask, Don't Tell."

A copy of today's letter can be found here:

[http://www.alceehastings.house.gov/index.php?option=com\\_content&task=view&id=314&Itemid=1](http://www.alceehastings.house.gov/index.php?option=com_content&task=view&id=314&Itemid=1)

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