



February 9, 2011

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Obama:

Last month, you signed legislation that provided for the repeal of “Don’t Ask, Don’t Tell”. This was a major accomplishment for the United States military, for gay and lesbian Americans, and for your Administration and the United States Congress. We look forward to the certification by you, the Secretary of Defense and the Chairman of the Joints Chiefs of Staff that will bring this unwise and discriminatory law to an end.

But you have recognized that repeal of this law, while necessary, is not sufficient. You said, “The eradication of this policy will require more than just eliminating one statute. It will require the implementation of anti-harassment policies and protocols for dealing with abusive or discriminatory behavior as we transition our armed forces away from a policy of discrimination.” With this, we completely agree.

And yet, recent statements by some leaders in the Department of Defense indicate that they see no need for such policies and protocols — that business as usual is enough. With this, we do not agree.

A mechanism should be put in place so that service members have a place to turn, independent of their chain of command, if they are subject to discrimination based on their sexual orientation or gender identity. Being able to apply for a job and advance in one’s career, free from discrimination, is not, as some have termed, a “special right”. And a workplace free from discrimination does not happen just because our leadership says it must.

We, therefore, call on you to show the leadership President Truman did when he issued an Executive Order banning racial discrimination in the armed services and to issue an Executive Order prohibiting discrimination in the armed services based on sexual orientation and gender identity to be effective on the date of repeal of “Don’t Ask, Don’t Tell”. Bills introduced in the past three Congresses that included an explicit anti-discrimination provision to accompany “Don't Ask, Don't Tell” repeal attracted hundreds of co-sponsors, but this language was dropped from the bill that passed last year. Your Executive Order can ensure that the military adopts the necessary nondiscrimination policies coincident with repeal of the discriminatory law.

Sincerely,

Aubrey Sarvis  
Executive Director  
Servicemembers Legal Defense Network