

# Society of American Law Teachers SALT

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February 11, 2010

Senator Carl Levin

Chairman, Senate Armed Services Committee

269 Russell Office Building

U.S. Senate

Washington, D.C. 20510

Dear Senator Levin:

The Society of American Law Teachers (SALT) is writing to thank you for your leadership on the repeal of Don't Ask Don't Tell and to encourage you to continue your efforts on behalf of the 66,000 gay and lesbian service members currently serving in silence. As Chair of the Senate Armed Services Committee, you serve an important role at this critical time. SALT urges you to amend the Department of Defense Fiscal Year 2011 Authorization Request bill currently before your Committee to include language repealing Don't Ask Don't Tell.

SALT advocates the end of Don't Ask Don't Tell, and we have actively supported the passage of the Military Readiness Enhancement Act (H.R. 1283), a bill that repeals Don't Ask Don't Tell and replaces it with a non-discrimination policy. Specifically, the bill states:

The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may not establish, implement, or apply any personnel or administrative policy, or take any personnel or administrative action (including any policy or action relating to promotions, demotions, evaluations, selections for awards, selections for duty assignments, transfers, or separations) in whole or in part on the basis of sexual orientation.

As you know, there is no companion bill in the Senate. We propose that you amend the authorization bill to mirror the language contained in MREA. As you have recognized, the current statute interferes with military readiness and its repeal will enhance the military's ability to effectively fight two wars.

While we believe that repeal is long overdue, we recognize that you are concerned about the potential complications that might be wrought by a sudden shift in policy. As you stated in your February 2, 2010, opinion letter to POLITICO, the Senate Armed Services Committee must move quickly, but with care and deliberation. As an alternative to the repeal language quoted above, we encourage you to pass legislation stopping all investigations of possible Don't Ask Don't Tell violations. In particular, we propose that the authorization bill include the following provision:

Directs the Secretary of Defense to instruct to Secretaries of each of the armed services that there may be no investigation of or inquiry into, or any administrative action relating to, conduct described in 10 U.S.C. § 654(b), "Policy concerning homosexuality in the armed forces," until the end of the 111<sup>th</sup> Congress; provided that, this shall not limit the authority of the Secretaries of the armed services with respect to conduct that would violate the Uniform Code of Military Justice.

As you are well aware, Senator Levin, the time for action is now. Nearly 13,000 patriots have already been discharged under this discriminatory statute and over 66,000 gay and lesbian individuals continue to serve this country, fighting for the very liberty that they are denied. Until Congress acts, this country will continue to lose brave and qualified Americans willing and able to serve this country.

Respectfully submitted,



Raquel Aldana  
Co-President



Steven Bender  
Co-President