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Senate fails in attempt to repeal 'don't ask, don't tell'

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Senate Republicans dealt a severe and potentially fatal blow Tuesday to efforts this year to repeal the military's "don't ask, don't tell" policy, which bans gay men and women from serving openly in the armed forces.

Democrats were unable to sway a single Republican to begin debate on a defense authorization bill that included the repeal.

The failure to repeal the law, despite White House backing and majorities in Congress, marked a low point in the more than decade-long effort to rid a policy begun under President Bill Clinton. Democrats thought this was their best chance to undo the 17-year-old measure after President Obama had won the support of Defense Secretary Robert M. Gates and other military leaders to get rid of it.

But Republicans objected that Majority Leader Harry M. Reid (D-Nev.) had attached several politically motivated proposals to the measure.

Sen. John McCain (R-Ariz.), who led the charge against repeal, called Reid's plan a "blatant and cynical" political ploy aimed at galvanizing Democratic voters for the midterm elections.

The high-profile failure left some advocates of repeal feeling burned and blaming the White House and congressional Democrats for not acting sooner.

"The Democrats have been against 'don't ask, don't tell' for more than a decade and why we allowed this law to remain in effect for another two years is beyond me," said Richard Soccarides, who served as an adviser to Clinton on gay rights. "The Washington-based gay rights groups made a decision early on that they were better off going along with the president's timeline and that right now that looks like a serious miscalculation."

White House officials and Senate Democratic leaders said they hoped to revive the issue after the November elections, when they attempt once again the defense authorization bill.

White House press secretary Robert Gibbs told reporters that he did not think this was the "decisive moment" for the law's repeal and that the administration would "keep trying."

But the bill's fate after the election is murky, given the uncertainty of the outcome at the polls. If Republicans make major gains, it could be difficult for Democrats to push a contentious issue during an end-of-the-term lame-duck session.

A senior Republican Senate aide also said that although some GOP lawmakers don't necessarily oppose repeal, they don't want to act before a Pentagon review of the policy change has been completed. That deadline is Dec. 1, leaving little time before the end of the year to revive the issue.

Repeal advocates have pushed since the ban was put into effect in 1993, saying it unfairly discriminates against gays, who have to hide their sexual identity while serving in uniform, and keeps thousands of potential recruits from enlisting.

But opponents say lifting the ban goes against the wishes of many military leaders and would introduce radical social change to the force at a time when it is focused on fighting two major wars. Critics are especially concerned with potential distractions for troops serving on the front lines in Afghanistan and Iraq if heterosexual troops would have to live and bathe in close quarters with gays.

"The issue isn't about individuals or liking gay people," said Elaine Donnelly, president of the Center for Military Readiness, a group opposed to repeal. "The issue is about what's best for the armed forces."

Reid announced last week that he would allow three amendments to the defense bill. One would allow Republicans to take a vote on striking "don't ask" from it. The second would end a senator's right to place anonymous holds on executive branch nominees, a measure with broad bipartisan support. And the third would grant legal status to young immigrants who attend college or join the military - a measure that could help Reid court Hispanic voters in his tough reelection back home in Nevada.

"This is just transparent, brazen, let's check special interests bloc politics, 40-something days before an election," said Sen. Lindsey O. Graham (S.C.), summing up the feeling of many Republicans.

The bill's fate was sealed Tuesday when Sen. Susan Collins (Maine), the one Republican who had supported repeal in the Armed Services Committee, announced she was opposed because Reid had decided to restrict amendments to the massive underlying bill.

"For the life of me, I do not understand why the majority leader does not bring this bill to the floor and allow free and open debate and amendments from both sides of the aisle,"

Collins said before the vote. Vice President Biden called the moderate Republican senator in a last-ditch effort to convert her, but Collins refused to reconsider.

Gay rights advocates vowed to keep pressure on the Senate, although some said they were skeptical of victory before the Pentagon concludes its study.

"This issue doesn't go away," said Aubrey Sarvis, executive director of the Servicemembers Legal Defense Network, a group providing legal assistance to troops affected by "don't ask." "The Senate absolutely must schedule a vote in December when cooler heads and common sense are more likely to prevail once midterm elections are behind us."

A coalition of gay rights organizations, led by Sarvis's group and the Human Rights Campaign, launched a national lobbying campaign shortly after Obama reiterated his support for repealing "don't ask" during his State of the Union address in February.

The groups spent millions of dollars targeting moderate Democrats and Republicans with advertising, and rallies in their home states. They held a final rally starring pop star Lady Gaga on Monday in Maine to try to woo Collins and her Republican colleague, Olympia J. Snowe.

Some repeal advocates said privately that the Lady Gaga event might have backfired. Collins dismissed it Tuesday: "I look to [Joint Chiefs of Staff Chairman] Admiral Mike Mullen for my advice."

The Pentagon declined to comment on Tuesday's vote. "This was an internal procedural matter for the Senate," spokesman Geoff Morrell said. But the president's choice to lead the Marine Corps, Gen. James Amos, told the Senate Armed Services Committee on Tuesday that he doesn't think lawmakers should lift the "don't ask." Morale could suffer, and a change in personnel policy could affect operations in Afghanistan, Amos said, echoing sentiments expressed this year by Gen. James T. Conway, the Marine Corps commandant.

Several conservative groups heralded Tuesday's outcome. Penny Nance, head of Concerned Women for America, said Senate Democrats attempted to "covertly hijack good legislation" with nonmilitary issues, including provisions that would allow for abortions at military bases.

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