

GAYS IN THE MILITARY

'Don't ask' repeal losing momentum

By Carolyn Lochhead

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WASHINGTON — Dan Choi, a gay National Guard platoon leader, will be discharged from the military under the Obama administration, which has quietly shelved the president's campaign promise to repeal the 16-year-old "don't ask, don't tell" policy with the tacit acquiescence of Washington's gay lobbying establishment.

Choi is among 38 West Point graduates who came out of the closet in March with an offer to help the military recognize the contributions of gay military members.

In a telephone interview, Choi said that after going public, he participated in his unit's regular drills.

"For four days nobody said anything, so I thought maybe nobody knew," Choi said. "At the end, people came up to me, my peers, my subordinates who were in my platoon, senior folks, people who outranked me, some people who have been in the Army for decades. And they said, 'Hey, sir, Lt. Choi, we know, and we don't care.'"

Choi, a 2003 West Point graduate and fluent speaker of Arabic who served an extended combat deployment in Iraq, received his notice Wednesday.

The letter told him that because of his public expression of his homosexuality, "I have negatively affected good order and discipline in the New York Army National Guard, the entire New York National Guard," Choi said. "That's what the letter says. I didn't feel that. The person that wrote the letter doesn't know me. I don't know him. He's never been in my unit. He doesn't know any of the soldiers in my unit."

He had discussed the issue on MSNBC's "Rachel Maddow Show" in March and returned to the show Thursday to talk about his dismissal and say he would fight it.

Far down on agenda

Gay rights groups, congressional sponsors and the White House insist that legislation to repeal the policy sponsored by Rep. Ellen Tauscher, D-Walnut Creek, remains on the agenda.

But for more than a month, Defense Secretary Robert Gates, Joint Chiefs of Staff Chairman Mike Mullen and most recently national security adviser and former Marine General James Jones have made clear that if repeal is on the agenda, it is pretty far down.

In a Washington Post profile, Jones said that when Obama was under pressure recently to review the ban on gays in the military, Jones went to see him and advised him to avoid taking on another issue. He said Obama agreed.

"Don't ask, don't tell" is a compromise forged during a pitched battle between the military and former President Bill Clinton that consumed the first months of his administration. Since then, at least 12,500 gays and lesbians have been discharged. An estimated 65,000 are believed to be currently serving in the military.

Choi said the support he received from his own platoon was in sharp contrast to the Army letter he received.

"Some of them told me, 'You trusted our unit, and you had confidence in our unit enough to be honest with us. It shows us that you respect us that much.' And I respect them a

whole hell of a lot," he said.

Aaron Belkin, director of the Palm Center, a public policy think tank at UC Santa Barbara that has studied the issue of gays in the military and was the first to call attention to Choi's case, said Obama could lift the ban now by executive order.

"The president obviously wants to avoid a fight with conservatives in both parties in Congress, but what's tragic about the delay is that he could suspend the discharge process for gay soldiers with the stroke of a pen," he said.

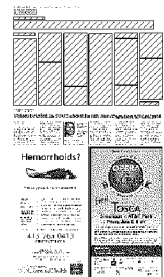
Repeal support in polls

Belkin said military law experts have found that while the law requires the military to discharge service members found to be gay, "nothing requires the military to reach such findings" and Obama could just order the military to stop.

Polls show strong public support for repeal, but some surveys say the majority in the military that supports it is smaller.

Gay rights groups hotly deny that they have backed off. Yet after a flurry of attention when Tauscher introduced her bill March 2, promising hearings and a public education campaign, little has happened. Instead, Gates said in a television interview March 29 that the discussion "has really not progressed very far at this point in the administration. I think the president and I feel like we've got a lot on our plates right now and let's push that one down the road a little bit."

No hearings have been scheduled, Tauscher is leaving for a new job at the State De-



partment, and gay groups have turned their attention to enacting legislation on hate crimes and employment non-discrimination. Rae Carey, executive director of the National Gay and Lesbian Task Force, said gay groups are moving forward on repeal, and that the White House "has continued to state again and again that they favor the repeal."

Carey said she did not know when repeal might happen. "They're dealing with the economy, health care and other issues, so I don't know of a specific time line."

When asked in late March about talk in the activist community that the White House and gay groups had agreed to put repeal on hold, David Smith, a vice president at the Human Rights Campaign, said:

"You're told by people who don't know what's going on. We have been pressing the White House for a plan to overturn 'don't ask, don't tell' and continue to do so. There's no doubt in our minds that the president wants to overturn 'don't ask, don't tell' ... and we continue to press the administration for a plan to reach that goal. And anything else you've heard is completely incorrect."

The groups have shown little interest in an executive order.

"So far they've taken Obama at his word, that he's really going to repeal the law," Belkin said. "I think that's grossly naive. Obama has already sent many, many signals that he plans to shelve the issue for quite a long time."

Choi said he wants to deploy again.

"I want to go back, that's what the Army's all about," he said. "That's why I joined. I'm fully willing and excited about the Army mission."

"Here I am, along with, you know, there are so many others. I'm not a rare case. I have something to contribute to the team, toward national security, toward my fellow comrades. And the policy and the law is saying, 'No. Because you're gay, we're going to discriminate against you and we're going to fire you.'"

He said the policy is "forcing soldiers to lie, forcing them to hide. It's not only morally bankrupt, it goes against everything in a soldier's training that says, 'Have courage. Stand up. Don't hide. Be honest.'"

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