

DOD Orders Halt to 'Don't Ask, Don't Tell' Enforcement

By Karen Parrish
American Forces Press Service

WASHINGTON, July 8, 2011 – The Defense Department today issued guidance on the July 6 federal appellate court decision ordering DOD to cease enforcing the so-called “Don't Ask, Don't Tell” law.

In a memorandum for the secretaries of the military departments, Clifford L. Stanley, undersecretary of defense for personnel and readiness, directed the services to comply with the injunction immediately.

“It remains the policy of the Department of Defense not to ask service members or applicants about their sexual orientation, to treat all members with dignity and respect, and to ensure maintenance of good order and discipline. Further, because the injunction is once again in effect, the department will process applications for enlistment or appointment without regard to sexual orientation,” the memorandum read, in part.

Further guidance will come as developments warrant, Stanley wrote.

Pentagon spokesman Marine Corps Col. Dave Lapan said lawyers in the Defense and Justice departments are reviewing the court's ruling to determine what actions may follow.

In October, then-Defense Secretary Robert M. Gates directed that any discharges under the law be reviewed and approved by the service secretaries in consultation with the undersecretary of defense for personnel and readiness and the Pentagon's general counsel.

Lapan said four service members have been discharged under the law since October, the most recent of which was effective June 23.

Any possible appeal to the injunction is “still being discussed and looked at,” he said.

Meanwhile, Lapan added, work continues on the department's preparation to implement repeal of the law barring openly gay men and women from serving in the nation's armed forces. The repeal act, passed by Congress and signed by President Barack Obama in December, calls for training the force and for the chairman of the Joint Chiefs of Staff and the secretary of defense to certify to the president that the conditions for repeal are met.

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