

Dear Mr. President:

Under current law, P.L. 111-321, repeal of the military's Don't Ask, Don't Tell policy will take place 60 days after you, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff transmit to the Congressional defense committees written certification that implementation of repeal will not harm military readiness, unit cohesion, recruitment and retention. Given the necessity for Congressional review, which has been limited to this point, we respectfully request that you refrain from transmitting certification until Congress has had sufficient time to review pending legislative matters of policy and law.

Such a dramatic policy change should be taken cautiously, even more so now while we currently have American troops in harm's way in Iraq and Afghanistan. Specifically, P.L. 111-321 states that the repeal shall take effect 60 days after "The President transmits to the Congressional defense committees a written certification, signed by the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, stating...That the Department of Defense has prepared the necessary policies and regulations to exercise the discretion provided by the amendments made by subsection (f)." Merely providing "training and educational" briefs to our service members is not enough to justify moving forward with certification when consequential policy and regulatory changes associated with implementation must be reviewed by Congress under its oversight function. Until those policy changes have been delivered and reviewed by Congress, it would be irresponsible to proceed with the certification process.

More so, in recent weeks it has become apparent that issuance of this certification would be premature, due to apparent confusion at the Department of Defense and the various services about specific applications of the pending repeal. Case in point is the recent controversy regarding Navy and Marine Corps training for policies that would authorize same-sex marriages on military bases located in states where such unions are legal. This planned policy change is a violation of the federal Defense of Marriage Act. The training revision also departed from prior assurances given to Congress with regard to Defense Department enforcement of the law and intent of the Defense of Marriage Act. In response to strong Congressional concern, this guidance was subsequently "suspended," but not revoked, pending review by legal counsel and coordination with the other services.

As we move forward, it is imperative that Congress have the ability to exercise its authority to have direct oversight in the welfare of our military forces. While our nation is engaged in two wars and operations throughout the globe, we need to ensure that all safeguards are in place in order to protect the effectiveness, morale and readiness of our Armed Forces.

Thank you for your attention to this important matter. We look forward to your prompt response.

Signed by Reps. Hunter, Wilson, Bartlett, Harper, Palazzo, Miller (FL), Pitts, Southerland, Akin, Lamborn, Roe, Hartzler, West, Forbes, Lankford, Neugebauer, Fleming, Garrett, Smith (NJ), Coffman, Nuelskamp, Jones and Austin Scott