

September 18, 2003

Statement by MIT Chancellor Phillip L. Clay
“Don’t Ask, Don’t Tell: 10 Years Later Conference”
September 18-20, 2003
Hofstra Cultural Center and Hofstra University School of Law

MIT is pleased to participate in Hofstra University’s conference on the “*Don’t Ask, Don’t Tell*” policy of the Department of Defense (DoD). MIT takes great interest in this policy because these DoD regulations, which prohibit openly gay or lesbian individuals from serving in the military, also prohibit their participation in ROTC programs that train military officers. MIT hosts ROTC programs for the Army, Navy, and Air Force. We have been pleased to host these activities over the years because we believe there should be broad opportunities for young people to prepare to lead in the nation’s defense.

MIT is committed to equal access to all of our educational programs. This Department of Defense policy denies this access to openly gay or lesbian students and is a violation of MIT’s policies on non-discrimination and equal opportunity. It is important that we acknowledge the contradiction between these policies and the DoD policies associated with ROTC.

We are committed to working for change in the DoD policy so that our ROTC programs can be open to every student who wishes to participate. While society has made significant gains in reducing discrimination based on sexual orientation, the implementation of the “Don’t Ask, Don’t Tell” policy has not advanced equal opportunity and shows no sign of future promise in that regard.

In 1996, our faculty after serious consideration voted to continue to allow ROTC to exist on our campus, despite this violation of our own policies. This vote was taken in recognition of the importance of service leadership training, but was contingent upon four expectations:

- That the MIT administration would act affirmatively to seek change and to support efforts to change Defense Department policy.
- That the administration would cooperate with other institutions to advocate and effect change.
- That the MIT administration would reinsure any students whose scholarships are withdrawn because they are openly gay.

- That the administration will work to improve the climate for LGBT faculty, staff, and students on our campus.

MIT's participation in this conference as well as our prior actions, which include direct advocacy, drafting and participation in an *amicus* brief, and consulting with other institutions, is consistent with this commitment to work to change policy.

Our day-to-day approach is to support ROTC and indeed to embrace it as a valuable opportunity for leadership development on campus as well as a venue for training young men and women who want to provide leadership in the military service, but we are still committed to the goal of ROTC as a program that is open to all students. Some aspects of ROTC programs can be used by all without violating federal policy. We have insisted that this be the case at MIT. We have also worked to make ROTC commanders and staff active in our leadership development programs and other initiatives on campus. These activities, however, do not substitute for the need for full openness.

While "Don't Ask, Don't Tell" has not produced progress for ROTC, significant progress has occurred in the larger society with a regard to acknowledging, honoring and extending opportunity to individuals without regard to sexual orientation. This was clearly demonstrated in the 2003 Supreme Court decision case of Lawrence vs. Texas. The Court found that the Constitution extends "the full right to engage in private conduct without government intervention." Writing for the majority and citing a lack of state interest in different treatment for homosexuals, the Court notes that the law "demeans the lives of homosexual persons."

While the U.S. military services in the early 1990s cited various concerns about gays in the military ranks, the Central Intelligence Agency—where earlier personal behavior had been considered a concern—has moved to an open acceptance of gays and lesbians. Military forces for many of our allies have dropped barriers based on sexual orientation. Corporations and other institutions in American society have concluded that the search for talent and service should not be restricted in this way.

We welcome the conference at Hofstra as an opportunity to explore recent experience and to search for ways in which we can offer all of our educational programs to all of our students, without regard to their sexual orientation.

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