

**RELEASE  
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**From:** Verma, Richard R <VermaRR@state.gov>  
**Sent:** Wednesday, May 26, 2010 3:49 PM  
**To:** H  
**Cc:** Mills, Cheryl D  
**Subject:** FW: Nelson and Byrd

See below....Nelson to support Don't Ask Don't Tell measure. Spoke with Byrd's people too....they think he is leaning to support it, but would know for sure later today.

Nelson to back 'Don't ask' repeal  
By: Jen DiMascio  
May 26, 2010 12:08 PM EDT

Nebraska Sen. Ben Nelson (D) will back repeal of don't ask don't tell, likely putting repeal proponents over the top in their quest to end the ban on gays serving openly in the military.

"I don't believe that most Nebraskans want to continue a policy that not only encourages but requires people to be deceptive and to lie. The 'Don't Ask, Don't Tell' policy does just that," Nelson said. "It also encourages suspicion and senior officers to look the other way. In a military which values honesty and integrity, this policy encourages deceit."

"I will support the Lieberman compromise because it removes politics from the process. It bases implementation of the repeal on the Pentagon's review and a determination by our military leaders that repeal is consistent with military readiness and effectiveness, and that the Pentagon has prepared the necessary regulations to make the changes," he said, adding that he spoke with Defense Secretary Robert Gates about the issue.

"He advised that while he preferred waiting until the study is completed, he can live with this compromise," Nelson said.

Given statements made by Sens. Evan Bayh (D-Ind.), Bill Nelson (D-Fla.) and Susan Collins (R-Maine) that they, too, will vote for repeal, Nebraska's Nelson would be the critical 15th vote required for repeal to be included in the defense authorization bill.

Their decisions were also made after earlier news this week that both the White House and Gates could live with a compromise amendment sponsored by Sens. Joe Lieberman (I-Conn.), Carl Levin (D-Mich.) and Rep. Patrick Murphy (D-Pa.).

"We thank Senator Nelson for his support and are extremely grateful. He and other senators supporting repeal will be on the right side of history," said Joe Solmonese, president of the Human Rights Campaign. "While Senator Nelson's vote is critical, no vote will be taken for granted in these final hours before the Senate committee vote."