

EXHIBIT C



U.S. Department of Defense
Office of the Assistant Secretary of Defense (Public Affairs)

News Transcript

On the Web:

<http://www.defense.gov/Transcripts/Transcript.aspx?TranscriptID=4592>

Media contact: +1 (703) 697-5131/697-5132

Public contact:

<http://www.defense.gov/landing/comment.aspx>

or +1 (703) 428-0711 +1

Presenter: Secretary of Defense Robert Gates and Joint Chiefs of Staff Chairman Adm. Michael Mullen

March 25,
2010

DOD News Briefing with Secretary Gates and Adm. Mullen from the Pentagon

Go to these links to view documents associated with this transcript: [http://www.defense.gov/news/DoDI_1332_14 - REVISIONS 032510.pdf](http://www.defense.gov/news/DoDI_1332_14_-_REVISIONS_032510.pdf)
[http://www.defense.gov/news/DoDI_1332_30 - REVISIONS 032510.pdf](http://www.defense.gov/news/DoDI_1332_30_-_REVISIONS_032510.pdf)
[http://www.defense.gov/news/Summary of Changes DADT.pdf](http://www.defense.gov/news/Summary_of_Changes_DADT.pdf)

SEC. GATES: Good morning.

I have an announcement this morning on changes in regulations with respect to "Don't Ask, Don't Tell." At the end of the briefing, the general counsel of the department, Jeh Johnson, will be available if there are specific questions or interpretations that are needed, and then Jeh will brief again or be available again at one o'clock.

In February, I established a high-level working group to review the issues associated with implementing a repeal of "Don't Ask, Don't Tell" law and to develop recommendations for implementation, should the law change.

At the same time I directed the department to conduct a review of how the military implements the current policy and within 45 days present to me recommended changes that would enforce the existing law in a fairer and more appropriate manner.

Today, I have approved a series of changes to the implementation of the current statute. They were developed with the full participation of the department's senior civilian and military leadership, and the changes are unanimously supported by Chairman Mullen, Vice Chairman Cartwright and the entire Joint Chiefs of Staff.

The department's general counsel, Jeh Johnson, and the Justice Department's Office of Legal Counsel have also concluded that these changes are consistent with the existing "Don't Ask, Don't Tell" law.

These changes reflect the insights -- some of the insights we have gained over 17 years of implementing the current law, including the need for consistency, oversight and clear standards.

The changes are as follows. We will raise the level of the officer who is authorized to initiate a fact-finding inquiry or separation proceeding regarding homosexual conduct to a general or flag officer in the service member's chain of command. We will raise the level of the person who is authorized to conduct a fact-finding inquiry to the level of lieutenant colonel, Navy commander or above.

We will raise the level of the officer who is authorized to separate an enlisted member to a general or flag officer in the service member's chain of command.

We will revise what constitutes credible information to begin an inquiry or separation proceeding by for example specifying that information provided by third parties should be given under oath and by discouraging the use of overheard statements and hearsay. We will revise what constitutes a reliable person, on whose word an inquiry could be initiated, with special scrutiny on third parties who may be motivated to harm the service member.

Finally certain categories of confidential information will no longer be used in support of discharges including information provided to lawyers, clergy and psychotherapists; information provided to a medical professional, in furtherance of medical treatment, or a public-health official, in the course of a public-health inquiry; information provided in the course of seeking professional assistance, for domestic or physical abuse, and information obtained in the course of security clearance investigations, in accordance with existing Department of Defense policies.

EXHIBIT 80

The services will have 30 days to conform their regulations to these changes. Meanwhile, these modifications will take effect immediately and will apply to all open and future cases. In effect, this means that all separations from this point forward will take place under the revised regulations.

I believe these changes represent an important improvement, in the way the current law is put into practice, above all by providing a greater measure of common sense and common decency, to a process for handling what are difficult and complex issues for all involved.

Of course, only Congress can repeal the current "Don't Ask, Don't Tell" statute. It remains the law, and we're obliged to -- obligated to enforce it. At the same time, these changes will allow us to execute the law in a fair and more appropriate manner.

The work of the Department of Defense working group chaired by Mr. Johnson and General Carter Ham continues. As I told the Congress in February, I am determined that we in the department carry out the president's directive on "Don't Ask, Don't Tell" in a professional and thorough way. I look forward to the continued progress of the working group as they undertake their important task in the weeks and months ahead. Thank you.

Anne.

Q Several of the changes that you've outlined today are suggestions that have been made by gay-rights groups for a long time now. Why do this now?

SEC. GATES: Well, I think first and foremost it's because of the change in policy direction given by the president. And when the president gave that direction, it seemed to me that we ought to look at the lessons learned the past 17 years and see if we, between now and when the Congress acts, could apply this, as my statement says, in a fair and more appropriate manner.

Q So what will happen to people who are in the process of being kicked out now based on third-party hearsay, third-party evidence that might be suspect?

SEC. GATES: At this -- as of my signature right after this meeting, every case that is currently still open will be dealt with under these new regulations. So they will be reinitiated by a flag rank officer. A person who is in the process can opt out of that, can in effect say, "I want to be -- I want to have the proceedings carried forward under the new regulations in terms of what kind of information can be allowed, but I don't want to start the whole process over."

But that's up to the service member who is being -- who's involved in the proceedings.

But as far as the system is concerned, as far as the services are concerned, every case that is open as of this morning will be re-initiated and evaluated under the -- under the new regulations that I've just set forth.

Q Secretary -- (inaudible). Do you support -- on the legislative side of things, do you support a legislative change to "Don't Ask, Don't Tell," whether it's a moratorium or outright repeal, this year, before the Pentagon completes its study on the issue?

SEC. GATES: I do not recommend a change in the law before we have completed our study. There is a great deal we don't know about this in terms of the views of our service members, in terms of the views of their families and influencers.

There is a lot we have to address in terms of what would be required in the way of changed regulations, in terms of benefits. There are a lot of unanswered questions in terms of the implementation of this proposed change in the -- change in the law.

I think we need to do this thoroughly and professionally. I think we need to do this right, if you will. And I think doing it hastily is very risky and, I think, does not address some of the concerns that have been expressed by the chiefs of staff, of the services and a number of the questions that have been raised associated with this.

ADM. MULLEN: I would just echo what the secretary said. I think it's very important for us to go through this process. And doing it with haste could easily generate a very bad outcome. So understanding where we are, having that information from those it will affect most, will -- is a very important part of this process.

Q Just a follow-up on that. Is that a view that the White House shares, do you think?

SEC. GATES: You would have to ask them, but I would tell you that my impression is that the president is very comfortable with the process that we've laid out, and certainly with the changes that I've announced today.

Q But if the policy won't be retroactive, is there some way that a service member who was discharged under "Don't Ask, Don't Tell" can try to reenlist? Is there some way that they can appeal to get back into the military -- if they were

discharged under the third party?

SEC. GATES: No.

Q Sir, you're raising the bar for having general officers initiate the proceedings. But recently, we heard from Lieutenant General Mixon, basically criticized -- calling the repeal of the policy ill-advised. What do you think about having general officers comment that way? And are they acting in proper guidelines when they do so?

SEC. GATES: I think that for an active-duty officer to comment on an issue like this is inappropriate. Let me ask the chairman to comment.

ADM. MULLEN: I feel the same way. And actually, it's being addressed, you know, inside the chain of command in the Army. I've spoken with General Casey specifically about this. And General Mixon specifically is -- the issue is being addressed with him. There is an opportunity in this process for -- everyone, from junior to senior, will have an opportunity to comment. And somebody in a leadership position like that, understanding, one, where the president's -- what the president's strategic intent is, clearly, you know, I consider, you know, what -- you know, that letter was -- was not an appropriate letter.

SEC. GATES: And I would -- and I would just -- I would just add that I would feel the same way if it were an entirely different issue.

Q What the Army said is that the JAG had looked at it and that he is within his legal proceedings (sic) to actually write that letter. But when he says so, when he especially says that it's ill-advised, is he criticizing the president?

SEC. GATES: Well, you'd have to ask him.

Q Mr. Secretary, can I change the subject to nuclear weapons?

We've heard a lot about --

SEC. GATES: Big gap, but I'll try to wrap my head around that. (Laughter.)

Q It's also a nuclear issue.

We've been hearing a lot about the new START treaty. But I wanted to ask you about nuclear weapons in Europe. There are several hundred U.S. tactical nuclear weapons in Europe.

What purpose do they serve? And would you be comfortable with a recommendation to eliminate them entirely?

SEC. GATES: Well, first of all, we have had a deterrent in Europe since the beginning of the Cold War. And I think that this is -- this is one of the issues that probably will be addressed in the NATO -- in the revision of the NATO strategic concept, as people look at that. This is a decision that will be made by the alliance as a whole.

Q Thank you, sir. Also on a different topic, the war in Afghanistan.

I'm wondering if you both could comment on, as the pace of operations increases in RC [Regional Command] South -- first in Marja, coming in Kandahar -- are you concerned that the expected increase in allied casualties will affect support for the mission in their home capitals?

I'm thinking in particular of the rather high ratio of the casualties among the U.K. troops. Are you concerned that there will be a slipping of support there?

And also, Mr. Secretary, as a follow-up, when we were with you in Istanbul, you announced a new program to share equipment and ISR [Intelligence, Surveillance and Reconnaissance] with the allies, specifically to protect them. Can you update us on any new progress on that effort?

SEC. GATES: Well, first of all, the -- our allies have been taking significant casualties. In fact if I'm not mistaken, proportionate to the size of the contribution they're making, the Canadians have had the highest casualty rates.

But there have -- there have clearly been a lot of our British colleagues who have fallen. It's also true of the Danes, the Dutch and others who have been in the south with us. I would -- and we all expect the fight to get tougher as we carry out the new campaign plan.

I would say -- I asked General McChrystal in particular about the British casualties because they seemed to be taking serious losses, and his response was that a big part of it is that the British are actually just in the thick of the fight. They're in some of the toughest places in the south.

Now, my hope is that providing our allies with counter-IED training and equipment will help protect their soldiers as

we are working to protect ours, obviously, within the constraints of the law and making sure our troops are taken care of.

But despite these heavy casualties that the various allies have taken, I think that actually has -- as best I can tell, has not been a serious factor in the -- in domestic support or opposition to the war.

But let me ask the admiral.

ADM. MULLEN: I think we've been very clear for months now that this was going to be a very difficult fight in the south and that the expectations -- try to set expectations, as tragic as it is, for these losses. And in particular -- and the secretary, as you indicated by your question, Thom, is -- has again reemphasized the whole area of counter-IED and is there more we can do. So this isn't an issue, from my perspective, of other forces who are ill-equipped, as much as this is a continuing -- a challenge which continues to evolve. And we have to stay on top of it and I believe top leadership has to stay on top of it to make sure we're doing everything we can.

Q Secretary, first of all, there's some -- seems still to be some disagreement with respect to "Don't Ask, Don't Tell" and the year-long review, some disagreement among even congressional members about whether you're studying whether to implement or how to implement repeal. Could you just be clear about that one more time, if the study is looking at whether to implement repeal or how you would actually implement it?

SEC. GATES: The study is about how you would implement it. If the law changes, how would we implement it? This study is not about should we do it. This study is about how would we do it.

And what we need to know in the course of that is the attitudes and feelings on the part of the members of the services and their families and so on. We need to identify where there might be problems or issues or just issues to be addressed, whether it's a change in regulations or benefits or something like that, so that when the time comes we have some idea of what we have to do in order to carry forward with a change.

Q One quick follow. You mentioned that you were going to look into who would be credible in order to provide information about outing someone, but you didn't qualify what a credible person would look like. Do you -- do you have any more specifics about that?

SEC. GATES: Well, let me ask the general counsel to address that with you after the session.

(Off mike)

Q Again, switching topics for a moment, General Petraeus on the Hill a few days ago said that, based on his travels in the Mideast and his conversations with Arab leaders that a lack of progress on the Israel-Palestinian front was raising Iranian influence and making it harder for the U.S. to interact with the friendly Sunni Arab nation. I'd like to ask you both if you share that assessment that, effectively, a lack of progress on the peace talks is harming -- potentially harming U.S. national-security interests.

SEC. GATES: Well, I think that the way I would answer it is that the lack of progress toward a -- toward Middle East peace is clearly an issue that is exploited by our adversaries in the region and is a source of certainly political challenge.

Whether it has a direct impact, I'm not -- I'm not entirely sure. But there is no question that the absence of Middle East peace does affect U.S. national security interests in the region, in my view.

Admiral.

ADM. MULLEN: I would add -- and I've spoken with General Petraeus and actually my counterpart in Israel a couple of times over the last week --and just to, one, reassure in this -- in this discussion right now the strength of the relationship between the two militaries, which is -- which continues to be exceptionally strong.

And certainly in my recent trip out there, there -- the relationship between this was brought to the fore and understood, actually, quite frankly, by everybody. It is a very, very serious issue, and all of us would like to see progress there. And we think it would have a big impact.

And that -- and what the secretary said is, it is in our national interests obviously or we wouldn't be so engaged. So it's an issue that continues to -- we all continue to focus on through a position of strength with our relationship with Israel, certainly from my perspective on the military side.

SEC. GATES: I -- and let me just add a couple of things. First of all, I think the military-to-military relationship with Israel is as strong as it's ever been. But the other point I would make is the United States has considered peace in the Middle East to be a national security interest for decades.

The -- you know, my first tours on the NSC were associated with the aftermath of the Yom Kippur War and the

peace efforts after that and then the Camp David talks.

So the United States government has been deeply engaged in this process for decades. So this isn't exactly a new development.

Q Going to another subject, contractor matters, you were actually quoted in a book about Bill Casey, Joe Persico's book, as saying about Dewey Clarridge, 'if you have a tough, dangerous job critical to national security, Dewey's your man. He's talented, one of our best operations officers. Just make sure you have a good lawyer at his elbow. Dewey's not easy to control.'

Assuming your quote is accurate, sir --

(Laughter.)

SEC. GATES: I knew I shouldn't have written that book. (Laughter.)

Q Assuming your quote is accurate in that book, Mr. Clarridge -- obviously a very public figure in the Iran-Contra scandal of some years ago, now back providing intelligence-contractor and information activities to this department -- do you have a good sense of what he is providing to the U.S. military? And do you have a good lawyer at his elbow? Do you have him under control?

SEC. GATES: I have -- I have no idea what the particulars are. This is the reason that, and associated with the broader matter of whether contractors were doing intelligence collection and so on. That's why I've appointed a small group of people to take a look at this whole matter and get back to me.

My view is that strategic communications, information operations are critical to our efforts around the world and in particular in the wars that we're in.

And -- but I think that there are different elements of the department that are engaged in this, and I don't feel that we have an overall strategy or perhaps adequate oversight of the broader effort that's under way.

And so what I'm trying to get my arms around is -- this particular case that's been described in the newspapers is being looked at by the inspector general, and so I'm less focused on that. That will go on in its own -- in its own channel. But rather, and does this suggest that there are broader problems in terms of oversight in these important areas that need to be corrected? And that's what I'm focused on.

Q But let's just clarify what's a totally different subject. That's the "Don't Ask, Don't Tell." Can you both explain so people understand what did General Mixon do wrong? Because my question is you've both publicly said you want to hear all points of view, you want to hear what people think. So what did he do wrong?

ADM. MULLEN: I think, as a -- as a three-star leader in command, by virtue of just that position alone, he has great influence. And all of us in uniform are obliged to certainly follow the direction of leadership right up to the president. And in fact, there had been very specific -- when the secretary announced a review, there had been very specific direction given by General Casey on how this was going to be approached -- I mean, not verbally, but in fact written. And there's an expectation, obviously, that you would comply with that, or anybody would comply with that.

And in the end, if there is either policy direction that someone in uniform disagrees with -- and I've said this before -- the answer -- and you feel so strongly about it -- you know, the answer is not advocacy; it is in fact to vote with your feet.

And that's what all of us in a position of leadership, I think, have to conform to.

Q Do you believe he needs to leave the military?

ADM. MULLEN: That's a decision that would certainly be up to him.

Q Mr. Secretary --

Q Mr. Secretary there was reporting today that some of the toughest aspects of proposed new sanctions against Iran have been stripped out to get Russia and China on board. Is that a sign that new sanctions may be a failure or worthless? And where does the United States go from here?

SEC. GATES: You know, I think -- I mean, my view -- I don't -- I don't know what the particulars of the Security Council resolution might look like. But I think the -- first of all, it is important to have a U.N. Security Council resolution to reemphasize Iran's isolation, that virtually all of the significant powers have real problems with Iran -- with Iranian behavior and with Iranian policies.

The reality, though, also is that the U.N. Security Council resolution then provides a legal platform for other

organizations and individual countries to take significantly more stringent sanctions, whether it's the European Union or individual countries like the United States or individual countries in Europe. And so I think -- I would see the Security Council resolution as sort of -- the isolation of Iran as being -- and the pointed rebuke of Iran by the Security Council as being the foundation on which further steps could be taken by individual countries.

Q Secretary? Getting back to "Don't Ask, Don't Tell," as you know, the Marine Corps commandant, General Conway, says that he would like to see the law kept as it is.

And he indicated that he worries that if the law is repealed, it will disrupt a force fighting two wars. I'd like you both to comment on that. And are you hearing, you know, privately, concerns from other officers about disrupting the force?

ADM. MULLEN: As I indicated in my testimony and subsequent to that, when asked specifically where the -- where the chiefs were, it was -- there would be an opportunity to have them express their views, and obviously General Conway has done that. We've spent a lot of time on this in the tank prior to any of us testifying. But certainly it wasn't my intent to get in the way of any chief's specific view. They have responsibilities as well.

The honest answer in terms of the disruption issue -- and a couple of chiefs have spoken to that -- but in my all-hand call -- all-hands calls since that time, the honest answer -- this is anecdotal -- but there's been very little of that said back to me specifically either by questions or statements -- quite to the contrary. Most of what I've heard has actually been very supportive of moving in this direction.

Q Mr. Secretary --

Q Secretary, back on Afghanistan. You have said lately that Iran is playing a double role in Afghanistan, on one hand supporting the government in Kabul and on the other hand providing weapons to Taliban. This week, we have new report saying that Iran is giving training to Taliban. To what level do you think the Iranians are involved in Afghanistan, training the Taliban, and how much are you concerned?

SEC. GATES: Based on everything that I've seen, I continue to believe that the Iranians are involved. But it remains at a relatively low level. And we certainly would hope that it stays that way.

Q Mr. Secretary, I had a question about training in Afghanistan. As you know, there's a shortage of trainers in Afghanistan. Why is there no discussion of resetting the expectations in terms of the number of Afghan police and soldiers you can train?

And should that be recalibrated, both the number and the level that the United States should expect and the Afghans themselves should expect, in light of the training shortage?

SEC. GATES: Well, we'll both take a crack at this. I mean, my view is, there has been a significant increase in trainers. We have gotten additional trainers from the Europeans, not as much -- not as many as we would like.

And frankly, I'm -- my inclination is -- not my inclination; I intend to defer to General McChrystal and General Caldwell in terms of their view of the -- of the timing and the sequencing, what they think they can handle in terms of training, how the training is going. The recruitment appears to be going well. Retention and attrition levels within the army seem to be good and pretty close to goals; not so with the police. Those are still issues that need to be addressed. There's just no question; the police are a tougher problem. And -- but I think that there is, first of all, recognition of that, and efforts are under way to address it.

ADM. MULLEN: There had not been -- because of the lack of resourcing, there just hadn't been a lot of trainers provided for the police, which really is the eye of the needle, if you will, in this particular area. And General Caldwell, under General McChrystal's guidance, is putting all that in place, and a structure that just didn't exist before, from recruiting to training to literacy training, et cetera. And it's going to take us a while.

So I recognize it's been a long time. I understand that. But at the same time, in ways we're really starting there. So I think it's just too early to reassess and say the -- we just don't know yet whether the goals are right.

And it really -- we both depend greatly on Caldwell and McChrystal coming in, saying, you know, yes or no. And they just haven't done that.

Q Sir, given the criticality of the police to the efforts to try to rebuild Afghanistan, and given the relatively, you know, low numbers of those that are trained that are staying on the force and the high illiteracy rate, is it time to reassess quite -- how long -- or perhaps better put, could you give us a better assessment of how long you think U.S. troops are going to be in Afghanistan past July 2011, given the huge gap that appears to be present in the training of the police, and the importance of the police on the ground in trying to maintain security in places like Marja and so forth?

SEC. GATES: Well, there are several aspects to it. First of all, there's the -- there's the national police, there's the border patrol. There are various elements. There are also local security initiatives that are associated with the tribes and

some provincial government. So there are a number of moving parts here in addition to the national police and to the army. And I think, you know, we're just going to have to look at how all of that evolves.

The president's decision that we will begin to turn -- to transition or transfer security responsibility in Afghanistan to the Afghans in July of 2011 stands. But it is also clear -- and he has been explicit -- that transfers subsequently will be based strictly on conditions on the ground. So it would be a serious mistake to rush this and transfer, or begin the transfer of authority before -- and then have to go back and re-fight the fight in a particular -- in a particular area.

So, you know, I think this is a several-year process. But we needed to send a clear signal. The president wanted to send a clear signal -- and I supported it -- that -- to the Afghans, that they also need to step up into this fight.

And I think that the increase in recruitment for both the army and the police is testimony to the fact that they are stepping up and the fact that the Afghans in significant numbers in both the police and in the -- and in the army are paying the price with their lives.

In fact, the police casualties are disproportionate, are -- outweigh those of the army, are greater than those in the army. So I think, you know, we've now been at the president's -- in the president's campaign for four months. We have a third of the surge forces that are going into Afghanistan that are there. This is going to take a little time. Let's not pull everybody up by their roots every week to see if they're growing.

Q Can you give -- okay.

Q Mr. Secretary, are all of the recommendations of the general counsel as to the "Don't Ask, Don't Tell" policy put into place? And if not, why were they eliminated? And were any of them watered down, including the level of the general that would be required to begin initiating proceedings?

SEC. GATES: One of the recommendations -- I would just tell you one, and I don't want to get into a lot of details; Mr. Johnson's here and can answer your question -- one of the issues that came up was whether we should require a two-star or a one-star. And in my discussions with the Joint Chiefs, the practical aspects -- particularly in the Marine Corps, where there aren't a lot of two-stars and where a two-star may be at great distance from where a unit may be deployed -- having a -- having a one-star do it made it more practical.

My issue was really more to have a -- to have a flag-rank officer do this.

And I was very comfortable with doing it at the -- at the one-star level.

I just wanted to make sure that in terms of the experience and leadership level and so on that we -- that we elevated this to a level who -- of people who have a lot of experience and a lot of maturity.

Thank you all very much.

(C) COPYRIGHT 2010, FEDERAL NEWS SERVICE, INC., 1000 VERMONT AVE. NW; 5TH FLOOR; WASHINGTON, DC - 20005, USA. ALL RIGHTS RESERVED. ANY REPRODUCTION, REDISTRIBUTION OR RETRANSMISSION IS EXPRESSLY PROHIBITED.

UNAUTHORIZED REPRODUCTION, REDISTRIBUTION OR RETRANSMISSION CONSTITUTES A MISAPPROPRIATION UNDER APPLICABLE UNFAIR COMPETITION LAW, AND FEDERAL NEWS SERVICE, INC. RESERVES THE RIGHT TO PURSUE ALL REMEDIES AVAILABLE TO IT IN RESPECT TO SUCH MISAPPROPRIATION.

FEDERAL NEWS SERVICE, INC. IS A PRIVATE FIRM AND IS NOT AFFILIATED WITH THE FEDERAL GOVERNMENT. NO COPYRIGHT IS CLAIMED AS TO ANY PART OF THE ORIGINAL WORK PREPARED BY A UNITED STATES GOVERNMENT OFFICER OR EMPLOYEE AS PART OF THAT PERSON'S OFFICIAL DUTIES.

FOR INFORMATION ON SUBSCRIBING TO FNS, PLEASE CALL CARINA NYBERG AT 202-347-1400.