
HOUSE RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO ESTABLISH A POLICY OF
NONDISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION FOR
MEMBERS OF THE UNITED STATES ARMED FORCES.

1 WHEREAS, the Military Readiness Enhancement Act of 2007,
2 H.R. 1246, was introduced in the United States Congress on
3 February 27, 2007; and
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5 WHEREAS, the purpose of the Military Readiness Enhancement
6 Act is to enhance the readiness of the United States Armed
7 Forces by replacing the current federal policy concerning
8 homosexuality in the military with a policy of nondiscrimination
9 on the basis of sexual orientation; and
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11 WHEREAS, gay and lesbian service members have served
12 honorably throughout the history of the United States, including
13 recent military service with distinction in arenas in
14 Afghanistan and Iraq; and
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16 WHEREAS, the previous ban on gays and lesbians in the
17 military was replaced with the National Defense Authorization
18 Act of 1994, Public Law 103-160, commonly referred to as the
19 "Don't Ask, Don't Tell" policy; and
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21 WHEREAS, a study released in 2005 by the United States
22 Government Accountability Office (GAO study) on the impact of
23 the "Don't Ask, Don't Tell" policy found that nearly 9,500
24 homosexual service members were discharged between 1994 and
25 2003, thus ending their military careers and burdening them with
26 a lifelong stigma; and
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28 WHEREAS, the GAO study noted that of the service members
29 separated between 1994 and 2003, seven hundred fifty-seven held
30 critical occupations and three hundred twenty-two had skills in
31 important foreign languages such as Arabic, Farsi, and Korean;
32 and
33



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1 WHEREAS, the GAO study estimated that the cost of
2 recruiting replacements for the separated service members was
3 \$95,000,000; the Army, Navy, and Air Force estimated that costs
4 to train replacements would amount an additional \$95,100,000;
5 and
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7 WHEREAS, the ability of the United States military to
8 perform its mission is hindered when competent and qualified
9 individuals are involuntarily discharged from military service
10 because of real or perceived sexual orientation; and
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12 WHEREAS, current troop shortages in the military have
13 resulted in extended active duty tours for National Guard and
14 reserve service members deployed to the middle east in the
15 "global war on terrorism"; and
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17 WHEREAS, many American allies in the war on terror allow
18 homosexuals to serve openly in the military, including the
19 United Kingdom, Australia, and Israel; and
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21 WHEREAS, in a January 2007 New York Times editorial,
22 retired general John Shalikashvili, Chairman of the Joint Chiefs
23 of Staff when the "Don't Ask, Don't Tell" policy was adopted,
24 stated that conversations with military personnel convinced him
25 that the policy should now be abandoned and expressed his belief
26 that "gays and lesbians in the military would not undermine the
27 efficacy of the armed forces"; and
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29 WHEREAS, on December 7, 2007, twenty-eight retired generals
30 and admirals released a letter urging Congress to repeal the
31 "Don't Ask, Don't Tell" policy, which also stated that "it is
32 not the place of the military or those in senior leadership to
33 make moral judgments"; and
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35 WHEREAS, in expressing their support for the repeal of the
36 policy, the retired generals and admirals also recognized that
37 the approximately one million gay and lesbian veterans in the
38 United States had served the nation honorably; and
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40 WHEREAS, the Legislature and courts in Hawaii have
41 protected individuals from discrimination based on sexual
42 orientation and gender identity to affirm equal protection for
43 all people under the law; now, therefore,
44

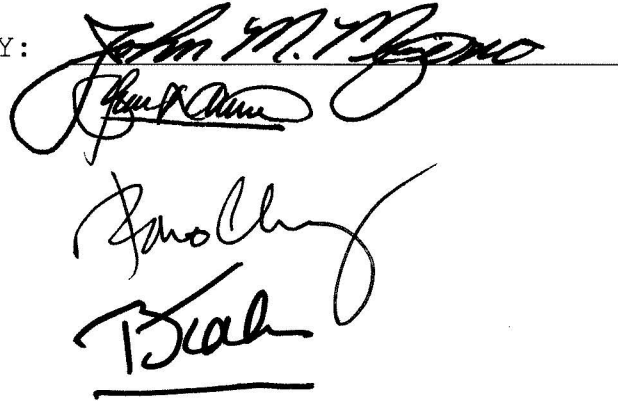


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1 BE IT RESOLVED by the House of Representatives of the
2 Twenty-fifth Legislature of the State of Hawaii, Regular Session
3 of 2009, that the United States Congress is respectfully
4 requested to amend title 10 of the United States Code by
5 repealing the current "Don't Ask, Don't Tell" policy concerning
6 homosexuality in the military and to adopt a policy of
7 nondiscrimination on the basis of sexual orientation for members
8 of the United States Armed Forces comparable to that expressed
9 in H.R. 1246 (2007); and

10
11 BE IT FURTHER RESOLVED that certified copies of this
12 Resolution be transmitted to the President of the United States
13 Senate, the Speaker of the United States House of
14 Representatives, the Secretary of Defense, and the members of
15 Hawaii's congressional delegation.
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OFFERED BY:



The block contains three handwritten signatures. The top signature is 'John M. Burns' written in cursive over a horizontal line. Below it is a signature that appears to be 'Keith Chen'. The bottom signature is 'Leah', also in cursive, with a horizontal line underneath it.

JAN 21 2009

