
HOUSE CONCURRENT RESOLUTION

REQUESTING 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 2009,
2 House Bill 1283, was introduced in Congress on March 3, 2009;
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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 areas such as
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 on the impact of the "Don't
23 Ask, Don't Tell" policy found that nearly 9,500 homosexual
24 service members were discharged between 1994 and 2003, thus
25 ending their military careers and burdening them with a lifelong
26 stigma; and
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28 WHEREAS, the Government Accountability Office study noted
29 that of the service members discharged between 1994 and 2003,
30 757 held critical occupations and 322 had skills in important
31 foreign languages such as Arabic, Farsi, and Korean; and



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WHEREAS, the Government Accountability Office study estimated that the cost of recruiting replacements for the discharged service members was \$95,000,000; and

WHEREAS, the Army, Navy, and Air Force similarly estimated that costs to train replacements would amount to \$95,100,000; and

WHEREAS, the ability of the United States military to perform its mission is hindered when competent and qualified individuals are involuntarily discharged from military service because of real or perceived sexual orientation; and

WHEREAS, current troop shortages in the military have resulted in extended active duty tours for National Guard and federal reserve troops deployed to the Middle East in the "global war on terrorism"; and

WHEREAS, many American allies in the war on terror allow homosexuals to serve openly in the military, including the United Kingdom, Australia, and Israel; and

WHEREAS, in a January 2, 2007, New York Times editorial, retired general John Shalikashvili, Chairman of the Joint Chiefs of Staff when the "Don't Ask, Don't Tell" policy was adopted, stated that conversations with military personnel convinced him that the policy should now be abandoned and expressed his belief that gays and lesbians in the military "would not undermine the efficacy of the armed forces"; and

WHEREAS, in November 2008, 104 retired generals and admirals released a letter urging Congress to repeal the "Don't Ask, Don't Tell" policy, which also stated that such a repeal "would not harm and would indeed help our armed forces"; and

WHEREAS, in expressing their support for the repeal of the policy, the retired generals and admirals also recognized that the approximately 1,000,000 gay and lesbian veterans in the United States had served the nation honorably; and

WHEREAS, the Legislature and courts in Hawaii have protected individuals from discrimination based on sexual



H.C.R. NO. 246

1 orientation and gender identity to affirm equal protection for
2 all people under the law; now, therefore,
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4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-fifth Legislature of the State of Hawaii, Regular Session
6 of 2010, the Senate concurring, that Congress is respectfully
7 requested to amend Title 10 of the United States Code by
8 repealing the current "Don't Ask, Don't Tell" policy concerning
9 homosexuality in the military and to adopt a policy of
10 nondiscrimination on the basis of sexual orientation for members
11 of the United States Armed Forces comparable to that expressed
12 in House Bill 1283 (2009); and
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14 BE IT FURTHER RESOLVED that certified copies of this
15 Concurrent Resolution be transmitted to the President Pro
16 Tempore of the United States Senate, Speaker of the United
17 States House of Representatives, United States Secretary of
18 Defense, and the members of Hawaii's delegation to the United
19 States Congress.
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OFFERED BY:

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