



Legislation Text

File #: Res 1170-2007, **Version:** A

Res. No. 1170-A

Resolution calling on the President, the U.S. Congress and the U.S. Department of Defense to rescind the current “Don’t Ask, Don’t Tell, Don’t Pursue” policy and allow lesbian, gay, bisexual and transgendered persons to serve openly in the military.

By The Speaker (Council Member Quinn) and Council Members Seabrook, Mendez, Monserrate, Avella, Brewer, Foster, Jackson, James, Koppell, Nelson, Palma, Weprin, Gerson, Liu, Gonzalez, Dickens, Sears and The Public Advocate (Ms.Gotbaum)

Whereas, In 1993, Congress passed and the President signed legislation, 10 U.S.C. § 654 (1993), that contained a policy subsequently known as the Don’t Ask, Don’t Tell, Don’t Pursue (“Don’t Ask, Don’t Tell”) policy; and

Whereas, According to the September 29, 1999 issue of Stanford University’s Stanford Report (the “Stanford Report”), the initial intent of the “Don’t Ask, Don’t Tell” policy was to end anti-gay discrimination in the Armed Forces; and

Whereas, According to the Servicemembers Legal Defense Network (SLDN), under the formal “Don’t Ask, Don’t Tell” framework, commanders are not supposed to solicit and servicemembers are not required to disclose information regarding sexual orientation; and

Whereas, The SLDN states that under the “Don’t Ask, Don’t Tell” policy, a servicemember may be discharged from service if such member has said that he or she is homosexual or bisexual or made some other statement that indicates a propensity or intent to engage in homosexual acts; and

Whereas, According to the Stanford Report, despite the stated “Don’t Ask, Don’t Tell” policy, servicemembers are still asked whether or not they are gay and are not provided with legal protection when this question is addressed to them; and

Whereas, The Stanford Report concluded that the actual effect of the “Don’t Ask, Don’t Tell” policy has been to institutionalize anti-gay discrimination in the military; and

Whereas, A 2006 Blue Ribbon Commission Report estimated the cost of the “Don’t Ask, Don’t Tell” policy during the first ten years of its existence to be at least \$363.8 million, and

Whereas, During 1999, a year in which the military was governed by the “Don’t Ask, Don’t Tell” policy, Private First Class Barry Winchell was killed because of his love for an openly transgender woman, an anti-gay hate crime committed by fellow soldiers and condoned by a culture of institutionalized homophobia at Fort Campbell, Kentucky; and

Whereas, The Michael D. Palm Center (the “Palm Center”) reports that some 12,000 gay servicemembers have been discharged since Congress adopted the “Don’t Ask, Don’t Tell” policy, including several hundred health care workers and at least 54 Arabic specialists; and

Whereas, Additionally, the Palm Center found that the divisiveness introduced by the “Don’t Ask, Don’t Tell” policy weakens our military’s, readiness, unit cohesion and troop morale; and

Whereas, A repeal of “Don’t Ask, Don’t Tell” is supported by several retired generals and admirals, including Major General Vance Coleman, Lieutenant General Claudia Kennedy, Brigadier General Evelyn Foote, Brigadier General Keith H. Kerr, Brigadier General Virgil A. Richard, Major General Charles Starr, Jr., and General John Shalikashvili, who served as Chairman of the Joint Chiefs of Staff during the implementation of the policy; and

Whereas, Ex-Judge Advocate General Admiral John Huston (Retired) stated that the “Don’t Ask, Don’t Tell” policy detracts greatly from the esteem in which our military has been held by other nations; and

Whereas, At least 24 nations allow gay soldiers to serve openly in the military, including Great Britain, Canada, Israel, Australia, Ireland, Germany and France; and

Whereas, A CNN Poll conducted during May 4-6, 2007, found that 79 percent of Americans support allowing gays to openly serve in the military. A Zogby poll held the previous year found that 73 percent of

military personnel are comfortable with lesbians and gays; and

Whereas, H.R. 1246, the Military Readiness Enhancement Act of 2007, would amend Title 10 of the United States Code to enhance the readiness of the armed forces by replacing “Don’t Ask, Don’t Tell” with a policy of nondiscrimination on the basis of sexual orientation; and

Whereas, The Council of the City of New York recognizes that lesbian, gay, bisexual and transgendered persons have served and are still serving in the U.S. armed forces with honor and distinction, from the Revolutionary War to the current war in Iraq; now, therefore, be it

Resolved, That the Council of the City of New York calls on the President, the U.S. Congress and the U.S. Department of Defense to rescind the current “Don’t Ask, Don’t Tell, Don’t Pursue” policy and allow lesbian, gay, bisexual and transgendered persons to serve openly in the military.

DMB
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