



Legislation Details (With Text)

**File #:** Res 0169-2010      **Version:** A      **Name:** Congress to pass language in the 2011 Defense Authorization Act.

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Civil Rights

**On agenda:** 4/14/2010

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling on the United States Congress to pass language in the 2011 Defense Authorization Act that would repeal “Don’t Ask, Don’t Tell, Don’t Harass, Don’t Pursue” and to allow lesbian, gay, bisexual and transgendered persons to serve openly in the military.

**Sponsors:** James G. Van Bramer, Gale A. Brewer, Margaret S. Chin, Daniel Dromm, Julissa Ferreras-Copeland, G. Oliver Koppell, Karen Koslowitz, Brad S. Lander, Ydanis A. Rodriguez, Deborah L. Rose, Christine C. Quinn, Michael C. Nelson, Rosie Mendez

**Indexes:**

**Attachments:** 1. Res. No. 169 - 4/14/10, 2. Committee Report 6/8/10, 3. Hearing Transcript 6/8/10, 4. Hearing Transcript - Stated Meeting 6/9/10, 5. Hearing Testimony - 6/8/10

Date	Ver.	Action By	Action	Result
4/14/2010	*	City Council	Introduced by Council	
4/14/2010	*	City Council	Referred to Comm by Council	
6/8/2010	*	Committee on Civil Rights	Hearing Held by Committee	
6/8/2010	*	Committee on Civil Rights	Amendment Proposed by Comm	
6/8/2010	*	Committee on Civil Rights	Amended by Committee	
6/8/2010	A	Committee on Civil Rights	Approved by Committee	Pass
6/8/2010	*	Committee on Veterans	Hearing Held by Committee	
6/8/2010	*	Committee on Veterans	Amendment Proposed by Comm	
6/8/2010	*	Committee on Veterans	Amended by Committee	
6/8/2010	A	Committee on Veterans	Approved by Committee	
6/9/2010	A	City Council	Approved, by Council	Pass

Res. No. 169-A

Resolution calling on the United States Congress to pass language in the 2011 Defense Authorization Act that would repeal “Don’t Ask, Don’t Tell, Don’t Harass, Don’t Pursue” and to allow lesbian, gay, bisexual and transgendered persons to serve openly in the military.

By Council Members Van Bramer, Brewer, Chin, Dromm, Ferreras, Koppell, Koslowitz, Lander, Rodriguez, Rose, Speaker (Council Member Quinn), Nelson and Mendez

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 Harass, Don’t Pursue (“Don’t Ask,

Don't Tell") policy; and

Whereas, 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 has made some other statement that indicates a propensity or intent to engage in homosexual acts; and

Whereas, 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, A 2010 report by the Michael D. Palm Center, a research institute at the University of California, Santa Barbara, concluded that the "Don't Ask, Don't Tell" caused lowered morale, weaker unit cohesion, forced dishonesty, the loss of talented personnel, compromised privacy and damage to the military's reputation; and

Whereas, In a 2010 research brief, the William Institute, a think-tank that focuses on sexual orientation law and public policy, estimated that the Don't Ask, Don't Tell policy cost up to \$555.2 million between 1993 to 2008; and

Whereas, According to Servicemembers United, over 14,000 gay soldiers have been discharged since Congress adopted the "Don't Ask, Don't Tell" policy, including more than 800 mission-critical troops and at least 59 Arabic linguists and nine Farsi linguists; 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 is held by other nations; and

Whereas, Twenty-four nations allow gay soldiers to serve openly in the military, twenty-two of whom are currently serving alongside American troops in Afghanistan and Iraq; and

Whereas, Neither the Central Intelligence Agency, the Federal Bureau of Investigations, the State Department, nor the civilian component of the Defense Department discriminate on the basis of sexual orientation; and

Whereas, A 2010 CNN/Opinion Outreach Corporation poll found that 78 percent of Americans support allowing openly gay soldiers to serve in the military; and

Whereas, Adding language to repeal “Don’t Ask, Don’t Tell” to the 2011 Defense Authorization Act would enhance the readiness of the armed forces by replacing an outdated law with a policy of nondiscrimination on the basis of sexual orientation; and

Whereas, President Barack Obama, who also serves as Commander-in-Chief of the Armed Forces, has repeatedly pledged his commitment to repealing this discriminatory policy; 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 wars in Afghanistan and Iraq; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass language in the 2011 Defense Authorization Act that would rescind “Don’t Ask, Don’t Tell, Don’t Harass, Don’t Pursue” and to allow lesbian, gay, bisexual and transgendered persons to serve openly in the military.

DMB  
LS# 528  
6/7/10