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**JOINT RESOLUTION URGING AN END TO
THE U.S. MILITARY'S DON'T ASK,
DON'T TELL POLICY**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christine A. Johnson

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature denounces the U.S. military's "Don't Ask, Don't Tell" policy and urges its repeal.

Highlighted Provisions:

This resolution:

- ▶ denounces the U.S. military's "Don't Ask, Don't Tell" policy related to the military service of gays, lesbians, and bisexuals; and
- ▶ urges the President of the United States and the United States Congress to adopt the Military Readiness Enhancement Act of 2009 (H.R.1283), to end the United States' discriminatory "Don't Ask, Don't Tell" policy in the military.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, passage of the National Defense Authorization Act of 1994, which included the policy known as "Don't Ask, Don't Tell, Don't Pursue, Don't Harass," has led to the discharge of a great number of lesbian and gay service members, thus ending their careers and burdening them with a lifelong stigma;



28 WHEREAS, the capacity of the United States Armed Forces to carry out its missions is
29 hindered when competent and qualified individuals are involuntarily discharged;

30 WHEREAS, the Armed Forces of the United States have been forced to retain Reserve
31 and National Guard service members on active duty past standard deployment lengths in order
32 to carry out its recent missions;

33 WHEREAS, the ability of the United States Armed Forces to recruit and retain the best
34 and brightest Americans is hindered by excluding a section of the population solely because of
35 sexual orientation;

36 WHEREAS, transgender and transsexual service members are not specifically banned
37 by "Don't Ask, Don't Tell," which addresses only issues of sexual orientation, but they are
38 nonetheless harmed by "Don't Ask, Don't Tell," because they are often harassed or accused of
39 being gay or lesbian on the basis of nongender-conforming behavior;

40 WHEREAS, gay and lesbian service members have served honorably throughout
41 United States' history and continue to serve with distinction on active duty;

42 WHEREAS, these men and women have achieved military honors, decorations, and
43 promotions to the highest ranks in their respective services for their valor and service to the
44 people of the United States;

45 WHEREAS, at least 24 other nations, including Great Britain, Australia, Canada, and
46 Israel, allow open military service by gays and lesbians;

47 WHEREAS, the Department of Homeland Security, the Federal Bureau of
48 Investigation, the Defense Intelligence Agency, the National Security Agency, the Central
49 Intelligence Agency, the Secret Service, and other federal departments handling national
50 security allow their gay, lesbian, bisexual, and transgender personnel to serve openly;

51 WHEREAS, there are at least 65,000 gay and lesbian service members on active duty in
52 the U.S. military today and another 1,000,000 gay and lesbian veterans who have served our
53 nation proudly;

54 WHEREAS, more than 13,000 service members have been discharged under the "Don't
55 Ask, Don't Tell" policy, including hundreds of service members in "critical occupations," such
56 as counterintelligence experts and medical specialists;

57 WHEREAS, according to a Government Accountability Office report, 323 language
58 specialists have been discharged from the military under the "Don't Ask, Don't Tell" policy,

59 including 55 Arabic and 9 Farsi translators, vitally important positions to intelligence gathering
60 that are in critical shortage;

61 WHEREAS, American taxpayers have paid between \$250 million and \$1.2 billion to
62 investigate, eliminate, and replace qualified and patriotic service members who want to serve
63 their country in the military but are dismissed because their sexual orientation violates the
64 "Don't Ask, Don't Tell" policy;

65 WHEREAS, evidence from a study conducted by the Center for the Study Of Sexual
66 Minorities in the Military suggests that the "Don't Ask, Don't Tell" policy increases the stress
67 levels of gay troops, lowers their morale, impairs their ability to form trusting bonds with their
68 peers, restricts their access to medical care, psychological services, and religious consultations,
69 and limits their ability to advance professionally and their willingness to join and remain in the
70 armed services;

71 WHEREAS, every Department of Defense authorized study has shown that there is no
72 correlation between sexual orientation and unit cohesion in the Armed Forces;

73 WHEREAS, public opinion polls have found that the majority of American citizens
74 support keeping trained and skilled openly gay and lesbian service members in the military and
75 repealing "Don't Ask, Don't Tell";

76 WHEREAS, a 2006 study of the Michael D. Palm Center found that nearly 75% of
77 military personnel say they are personally comfortable in the presence of gays and lesbians;

78 WHEREAS, more than 100 retired generals and admirals have called for the repeal of
79 "Don't Ask, Don't Tell";

80 WHEREAS, the readiness of the United States military to protect and defend our nation
81 is severely compromised because of the discriminatory "Don't Ask, Don't Tell" policy that is
82 arbitrarily enforced by commanders whose personal beliefs may influence their disciplinary
83 action;

84 WHEREAS, discharges under the "Don't Ask, Don't Tell" policy are historically fewer
85 when troop strength is low, as in times of war;

86 WHEREAS, this denotes the tacit recognition by the United States military that gay and
87 lesbian service members are fit and capable for military service, further illustrating the arbitrary
88 enforcement of the policy;

89 WHEREAS, it would be in the best interest of the country for the President of the

90 United States and the United States Congress to adopt H.R.1283, the Military Readiness
91 Enhancement Act of 2009, to end the discriminatory policy of "Don't Ask, Don't Tell"; and

92 WHEREAS, military readiness is enhanced when every qualified, capable American,
93 regardless of sexual orientation, is welcomed into the United States Armed Forces and has their
94 talents utilized in the best interests of our national security:

95 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
96 denounces the United States' "Don't Ask, Don't Tell" policy related to the service of gay,
97 lesbian, and bisexual individuals in the military.

98 BE IT FURTHER RESOLVED that the Legislature urges the President of the United
99 States and the United States Congress to adopt the Military Readiness Enhancement Act of
100 2009 to end the discriminatory federal "Don't Ask, Don't Tell" policy.

101 BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of
102 the United States, the Majority Leader of the United States Senate, the Speaker of the United
103 States House of Representatives, and to the members of Utah's congressional delegation.

Legislative Review Note
as of 11-23-09 11:17 AM

Office of Legislative Research and General Counsel

Fiscal Note

**H.J.R. 4 - Joint Resolution Urging an End to the U.S. Military's "Don't Ask,
Don't Tell" Policy**

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
