

T. S. O.

BEFORE THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

DRAFT

RESOLUTION NO:) IN THE MATTER OF SUPPORT URGING THE PRESIDENT AND
) THE UNITED STATES CONGRESS TO ADOPT THE MILITARY
) READINESS ENHANCEMENT ACT OF 2010 (H.R. 1283), WHICH
) ELIMINATES THE "DON'T ASK, DON'T TELL" POLICY AND,
) AMONG OTHER THINGS, ADOPTS A POLICY OF NON-
) DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION
) WITHIN THE UNITED STATES ARMED FORCES; DIRECTING
) THE COUNTY ADMINISTRATION TO TRANSMIT A CERTIFIED
) COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE
) UNITED STATES, SPEAKER OF THE HOUSE NANCY PELOSI,
) AND SENATE MAJORITY LEADER REID. PROVIDING FOR
) CONFLICTS; PROVIDING FOR SEVERABILITY; AND
) PROVIDING AN EFFECTIVE DATE.

WHEREAS, in the United States, service in the Armed Forces by lesbian, gay, and bisexual Americans has been at question for many years, leading to the creation of the National Defense Authorization Act of 1994 (Public Law 103-160), more commonly known as the "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" or simply the "Don't Ask, Don't Tell" policy; and

WHEREAS, the Service members Legal Defense Network has found that this policy of "Don't Ask, Don't Tell" led to the discharge of nearly 10,000 service members in its first ten years, including nearly 800 with "critical skills," of which 322 were linguists; and

WHEREAS, the United States Armed Forces is currently unable to meet its own recruiting goals, thus forcing the National Guard and Reserve members to serve extended tours of duty, while at the same time highly qualified and patriotic gay, lesbian, and bisexual Americans are prevented from serving solely because of their sexual orientation; and

WHEREAS, low troop levels put national security at risk through lack of personnel, inadequate training, increased troop fatigue and stress, and decreased morale; and

WHEREAS, the "Don't Ask, Don't Tell" policy also affects national security and military readiness in more insidious manners, including harassment, violence, secrecy, and lack of confidential medical care, all of which undermine unit cohesion; and

WHEREAS, the Department of Defense has issued four reports since 1957 examining the presence of lesbian, gay, and bisexual service members in the Armed Forces, with findings indicating that these service members do not pose security risks nor impair military readiness, but rather perform their duties as well as heterosexual service members; and

WHEREAS, lesbian, gay, and bisexual service members have served and are serving bravely and honorably in all branches of the United States Armed Forces and in all locations, national and international, numbering one million veterans and 65,000 active duty personnel, according to the Service members Legal Defense Network; and

WHEREAS, top United States national security agencies do not discriminate against their personnel based on sexual orientation. Rather, the Department of Homeland Security, the Central Intelligence Agency, the Defense Intelligence Agency, the Federal Bureau of Investigation, and the National Security Agency all allow personnel to serve openly, leaving the Armed Forces as the only agency in the federal government that still uses sexual orientation to discriminate in employment decisions; and

WHEREAS, many of America's allies, including Israel, Australia, Canada, and the United Kingdom, allow lesbian, gay, and bisexual service members to serve openly in their militaries, and the United Kingdom now actively recruit these service members; and

WHEREAS, the Service members Legal Defense Network finds that American taxpayers spend nearly \$26 million a year training replacements for service members discharged under the "Don't Ask, Don't Tell" policy, with unknown costs associated with the actual discharge of these service members and non-monetary costs to troop cohesion and morale associated with the loss of unit members; and

WHEREAS, the Urban Institute, using data from Census 2000, has counted over 15,000 gay and lesbian veterans living in San Francisco alone; and

WHEREAS, national security and military readiness will be best served by allowing every willing and able American to serve in the United States Armed Forces, without regard to sexual orientation.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. The County of Lane, Oregon hereby supports the Military Readiness Act of 2010 (H.R. 1283) that will replace the current "Don't Ask, Don't Tell" policy with a policy of non-discrimination based on sexual orientation.

Section 3. The County Commissioners further directs the Lane County Administration to transmit a certified copy of this Resolution to the President of the United States, Speaker of the House Nancy Pelosi, and Senate Majority Leader Reid.

Section 4. The County Commissioners further directs County Administration to transmit a certified copy of this Resolution to Representative Peter DeFazio, Senators Ron Wyden, and Jeff Merkley.

Section 5. All resolutions or parts of resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 6. If any Section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 7. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED this ___ day of May, 2010.

William Fleenor, Chair
Lane County Board of Commissioners