



CITY COUNCIL

Darryl Moore
Councilmember District 2

CONSENT CALENDAR
June 2, 2009

To: Honorable Mayor and Members of the City Council
From: Councilmember Darryl Moore, Councilmember Jesse Arreguin
Councilmember Kriss Worthington, Councilmember Max Anderson
Subject: Urge President Obama To End The "Don't Ask, Don't Tell" Policy and Not
To Fire Lt. Dan Choi

RECOMMENDATION

Adopt a Resolution urging President Obama to end the 'Don't Ask, Don't Tell' policy and not to fire Lt. Dan Choi.

BACKGROUND

Lt. Dan Choi, from Orange County, California, is a graduate of the U.S. Military Academy at West Point and an Iraq War veteran. Last March he went on Rachel Maddow's show and spoke three truthful words: "I am gay."

As a result, Lt. Choi received a letter from the Army on April 23 discharging him for violating the "Don't Ask, Don't Tell" policy. This letter was "a slap in the face" to both Lt. Choi and the soldiers he as commanded and served with over the past decade.

Lt. Choi is fighting to stay in the military and ensure that no other soldier is ever again discharged as a result of "Don't Ask, Don't Tell."

President Obama did not create this policy. But he now has the opportunity to keep his promise and allow gay and lesbian soldiers to serve openly in the military and to eliminate the discriminatory and counterproductive "Don't Ask, Don't Tell" policy.

FISCAL IMPACTS OF RECOMMENDATION

None at this time

CONTACT PERSON

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Councilmember Kriss Worthington	District 7	510-981-7170
Councilmember Max Anderson	District 3	510-981-7130

Attachments

- 1: Resolution
- 2: March 24, 2009 Resolution in support of H.R. 1283

RESOLUTION NO. ##,###-N.S.

RESOLUTION IN SUPPORT OF LT DAN CHOI AND ENCOURAGING PRESIDENT OBAMA TO ABOLISH THE "DON'T ASK, DON'T TELL" POLICY

WHEREAS, as demonstrated in the March 24, 2009 resolution in support of Congresswoman Tauscher's Military Readiness Enhancement Act of 2009, the "Don't Ask, Don't Tell" policy for military personnel is not only patently discriminatory, but is also counterproductive; and

WHEREAS, Lt Dan Choi is just the most recent and well-publicized victim of the "Don't Ask, Don't Tell" policy, but needs and deserves as much support as he can get in his fight against this backwards policy; and

WHEREAS, President Obama has declared that he is planning to overturn this discriminatory practice and the Army's intent to discharge Lt Choi gives President Obama the opportunity to demonstrate his commitment to equality in our Armed Forces.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley hereby supports Lt Dan Choi in his fight against discrimination in our Armed Forces and encourage President Obama to abolish the "Don't Ask, Don't Tell" Policy.

RESOLUTION NO. 64,381-N.S.

SUPPORT OF H.R. 1283, REPEALING "DON'T ASK, DON'T TELL"

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 Servicemembers 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 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 servicemembers in the Armed Forces, with findings indicating that these servicemembers do not pose security risks nor impair military readiness, but rather perform their duties as well as heterosexual servicemembers; and

WHEREAS, lesbian, gay, and bisexual servicemembers 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 Servicemembers 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 servicemembers to serve openly in their militaries, and the United Kingdom now actively recruits these servicemembers; and

WHEREAS, the Servicemembers Legal Defense Network finds that American taxpayers spend nearly \$26 million a year training replacements for servicemembers discharged under the "Don't Ask, Don't Tell" policy, with unknown costs associated with the actual discharge or these servicemembers and non-monetary costs to troop cohesion and morale associated with the loss of unit members; 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 that the Council of the City of Berkeley hereby supports H.R. 1283, the Military Readiness Act of 2009, by Representative Ellen Tauscher (D-CA), that will replace the current "Don't Ask, Don't Tell" policy with a policy of nondiscrimination based on sexual orientation.


BE IT FURTHER RESOLVED that the City Clerk shall transmit copies of this resolution to the Congresswoman Ellen Tauscher, as well as Congresswoman Barbara Lee and United States Senators Dianne Feinstein and Barbara Boxer.

The foregoing Resolution was adopted by the Berkeley City Council on March 24, 2009 by the following vote:


Ayes: Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington, Wozniak and Bates.

Noes: None.

Absent: None.



Tom Bates, Mayor

Attest: 

Deanna Despain, Acting City Clerk