

Encl 2

From OC VAC to OC BOS

2/10/2021

PROPOSED TEXT FOR A RESOLUTION OR LETTER ON LGBT RELATED MILITARY DISCHARGES

We recommend that the Orange County Board of Supervisors write to both the County's state and federal legislators to move quickly to craft this legislation and that in doing so they make the following arguments:

1. WHEREAS, the equality of lesbian, gay, bisexual and transgender Americans to serve in the U.S. armed forces has, within the last decade, been accepted as a just and settled policy.
2. WHEREAS, on January 25th, 2021, President Biden signed an Executive Order that formalized the policy that all Americans who are qualified to serve in the Armed Forces of the United States should be able to serve.
3. WHEREAS, President Biden's Executive Order immediately bars the services from discharging or denying reenlistment to service members because of their gender identity and also directs the Department of Defense (DOD) to correct the record of anyone dismissed from service solely for their gender identity but does very little to reform a process that has performed so poorly for gay and lesbian veterans since the end of the don't ask, don't tell policy in 2011.
4. WHEREAS, more than 114,000 veterans were involuntarily separated from the U.S. military for being lesbian, gay, bisexual or transgender between 1949 and 2011.
5. WHEREAS, there are many thousands of transgender veterans who legally changed their name and gender after serving but whose discharges still contain information that is incongruous with that legal name and gender.
6. WHEREAS, these veterans now bear discharges that legally bar them from receiving the valuable veterans benefits they justly deserve because of the embarrassment they suffer over the adverse or incorrect information contained on those discharges, and prevented from receiving the valuable veterans benefits they justly deserve.
7. WHEREAS, the only existing process for correcting these discharges is a burdensome, complex, and stigmatizing one for the vast number of affected lesbian, gay, bisexual or transgender veterans to undertake.
8. WHEREAS, these lesbian, gay, bisexual and transgender veterans served honorably but only have access to a process for discharge upgrades and corrections that is fundamentally designed for those seeking clemency for serious or felonious actions.
9. WHEREAS, the existing process available to gay, bisexual and transgender veterans for upgrades and corrections has proved so onerous and injurious that fewer than 10% of those veterans have applied to the Department of Defense for upgrades or corrections.
10. WHEREAS, both the nation's policy and attitude of its population toward lesbian, gay, bisexual and transgender Americans has changed to recognize the past ban on their service as a great injustice.
11. WHEREAS, these veterans, many of whom are now in failing health as they reach the twilight of their lives.
12. WHEREAS, a speedy redress of these past wrongs will help to heal old wounds and validate the nation's commitment to the equality of future generations of sexual and gender minorities who will increasingly serve openly in the U.S. military.
13. WHEREAS, such a speedy redress will provide medical, financial, educational, and burial benefits to deserving and needy veterans who have been unjustly denied those benefits.
14. AND WHEREAS, more than 100,000 American veterans will benefit from such legislation, and that many thousands of these veterans reside within the County of Orange, California.
15. We urge you, with all due haste, to promote, write, pass and fund legislation that will revise the process of correcting discharge documents for lesbian, gay, bisexual and transgender veterans who seek upgrades or corrections to their military discharge records, where such adverse or erroneous information is clearly based upon their gender or sexual orientation.