

AMENDED IN ASSEMBLY AUGUST 12, 2013

AMENDED IN ASSEMBLY AUGUST 8, 2013

AMENDED IN ASSEMBLY MAY 30, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Joint Resolution

No. 19

Introduced by Assembly Member Pan

(Coauthors: Assembly Members Achadjian, Alejo, Ammiano, Atkins, Bloom, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chávez, Chesbro, Cooley, Daly, Dickinson, Eggman, Fong, Fox, Garcia, Gatto, Gomez, Gonzalez, Gordon, Gray, Hall, Holden, Jones-Sawyer, Levine, Lowenthal, Medina, Mitchell, Mullin, Muratsuchi, Nazarian, Nestande, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Weber, Wieckowski, Williams, and Yamada)

April 30, 2013

Assembly Joint Resolution No. 19—Relative to veterans.

LEGISLATIVE COUNSEL’S DIGEST

AJR 19, as amended, Pan. Veterans’ benefits: reinstatement.

This measure would urge Congress and the President to reinstate benefits, including applicable spousal benefits, to those veterans discriminated against solely on the basis of their sexual orientation.

Fiscal committee: no.

- 1 WHEREAS, In 1993, Congress adopted a policy known as Don’t
- 2 Ask, Don’t Tell (DADT), prohibiting service personnel from
- 3 inquiring, or volunteering information, about their sexual
- 4 orientation. Prior to 1993, federal law and military regulations

1 prohibited homosexuality in the Armed Forces of the United States;
2 and

3 WHEREAS, From 1980 until the repeal of DADT in 2011, over
4 32,000 service personnel were separated from the Armed Forces
5 of the United States under DADT and its predecessor policies; and

6 WHEREAS, More than 13,000 service personnel were separated
7 from the Armed Forces of the United States after the adoption of
8 DADT. Approximately one-quarter of these discharges occurred
9 during the service member's first four months of service; and

10 WHEREAS, California law prohibits discrimination on the basis
11 of race, national origin, ethnic group identification, religion, age,
12 sex, sexual orientation, color, genetic information, or disability;
13 and

14 WHEREAS, Generally, veterans separated from the military
15 with a discharge that is characterized as "dishonorable" or "other
16 than honorable" are ineligible to receive federal or state veterans'
17 benefits, including applicable spousal benefits; and

18 WHEREAS, Section 711.1 of the Military and Veterans Code
19 assists veterans by requiring the Department of Veterans Affairs
20 to provide Internet resources, Internet links, and printed materials
21 regarding, or created by, veterans' legal services organizations
22 that specialize in military discharge upgrades, or links to Internet
23 resources that provide information and printed resources provided
24 by veterans' legal services organizations. It also provides that if
25 the federal government acts to reinstate benefits to discharged
26 veterans who were denied those benefits solely on the basis of
27 sexual orientation pursuant to any federal policy prohibiting
28 homosexual personnel from serving in the Armed Forces of the
29 United States, the state shall reinstate to those veterans any
30 state-offered benefits; and

31 WHEREAS, We must work to ensure that California veterans
32 who were discriminated against solely on the basis of their sexual
33 orientation can access benefits regardless of the classification of
34 their discharge; now, therefore, be it

35 *Resolved by the Assembly and the Senate of the State of*
36 *California, jointly,* That the Legislature urges Congress and the
37 President to reinstate benefits, including applicable spousal
38 benefits, to those veterans discriminated against solely on the basis
39 of their sexual orientation; and be it further

1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
2 of this resolution to the President and Vice President of the United
3 States, to the Speaker of the House of Representatives, to the
4 Majority Leader of the Senate, and to each Senator and
5 Representative from California in the Congress of the United
6 States.

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