

In fact, the compensation czar today announced some compensation rules which were kind of interesting, and I think there's going to be some contract law matters that will probably come up on that. But we have a compensation czar. We have a czar probably, you know, furniture polish czar, for all I know. But sunset the czars. In other words, let's look at them, see what they're doing. If they're not doing anything worth having or they're duplicating efforts that are done by the people who've gone through the Senate appointment process and been vetted by the Senate, the secretaries of the various departments of this government, maybe we ought to just eliminate the czars.

Then our friend, MARSHA BLACKBURN, has a bill that the President is to report the responsibilities and qualifications that authorizes the special assistance of czars. The President will certify that the czars will not assert powers beyond those granted by the law to a commissioned officer on the President's staff, and Congress will hold hearings on the President's report and certification within 30 days.

In other words, Mr. President, tell us what those folks are going to do, how qualified they are to do the job. We're going to pay them somewhere between \$175,000 and \$200,000 a year to do the job. And the Congress ought to be able to see that report and have the ability to deal with it. Both of these are good laws, and both of these have to do with czars. My friend, LOUIE GOHMERT, has been here with me for almost the full hour. We're about 5 minutes from conclusion, so I'll yield a couple of minutes to my friend, LOUIE GOHMERT.

Mr. GOHMERT. With regard to the czars, we've seen over and over examples of people who have been placed in these positions, and it doesn't do me any good or anybody in America any good to say, well, you know, prior presidents have used czars. Not to this extent. Not ever, and I never really cared for them, no matter who the President was. I didn't like the bailout last year. I thought, until this administration, it was possibly the worst domestic action that's been taken in the last 50 or 60 years. That is, until this administration just left \$700 billion in the sand as it blew through more and more money. But then, to have this massive spending spree that's, while we've got people appointed by the White House, not properly vetted, and the more we find out about these people, the more we're concerned they should never have been in those positions in the first place.

And as we know, we've already had one recently step down, he should have never been there in the first place, whereas, if you went through regular order there and had advice and consent of the Senate, it doesn't mean they're going to be perfect. Nobody is. No process is. But there was real ingenuity in the process that was set up by the Founders, and the advice and consent

is an important issue. But the whole reason our Founders set up a President outside the main stream of Congress, unlike the parliament that elects a prime minister from this body, it was going to be from outside this body so that there would be more checks and balances, and the czars have done nothing but create Scars upon Thars—with all deference to Dr. Seuss—scars across America, as they have been unaccountable to the Congress, to the courts, to America. And that really has to be changed.

□ 2200

We need the sunlight. We need transparency. We don't need czars.

Mr. CARTER. Reclaiming my time, I agree with my friend and fellow judge from Texas. We don't need czars that don't answer to the people. We intentionally designed the executive department to stand with checks and balances over it, just like the legislative department is designed that way. We intended it. This is not the way our Founding Fathers intended this country to be run.

We've been talking tonight about the rule of law. It's about the rule of law. It's about following the rules. You know, if we don't hold each other to the standards that are required by this body, if we don't hold our colleagues to the standards that are required by this body, then why would we expect the American people to trust us? I will tell you, all of us need to be worried about the issue of trust. So I will continue to raise these issues, and I will be glad to be joined by anyone in this discussion to discuss following the rules and obeying the law.

MODIFICATION IN APPOINTMENT OF CONFEREES ON H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

The SPEAKER pro tempore (Mr. NYE). Without objection and pursuant to clause 11 of rule I, the Chair removes the gentleman from Texas (Mr. REYES) as a conferee from the Permanent Select Committee on Intelligence on H.R. 2647 and appoints the gentleman from Florida (Mr. HASTINGS) to fill the vacancy.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

REPEAL THE DON'T ASK, DON'T TELL POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) is recognized for 60 minutes.

GENERAL LEAVE

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and ex-

tend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, tonight, October 6, at 10:03 p.m., we have a very special night. My colleagues and I stand here tonight to champion the repeal of the Don't Ask, Don't Tell policy. Repealing Don't Ask, Don't Tell is important. It's important for three reasons.

Number one, it is vital to our national security that we repeal Don't Ask, Don't Tell. We have kicked out over 13,000 troops since we enacted this law 16 years ago. We have kicked out over 400 troops just this year, in 2009. When our commanders on the ground are desperate for troops in Iraq and Afghanistan, now is not the time to throw them out—not for any type of sexual misconduct, but just because they're gay.

Number two, do we need to repeal Don't Ask, Don't Tell because it is doing right by our taxpayers? It is costing the American taxpayer \$1.3 billion to throw these young American heroes out of our military just because of their sexual orientation. It costs the American taxpayer \$60,000 to recruit these young heroes to come in, to train them up, to make them warriors, and then we just disregard them just because of their sexual orientation.

And, lastly, the Don't Ask, Don't Tell policy goes against the very fabric of what makes our country the greatest country on Earth, the fact that we're all created equal.

Mr. Speaker, we have colleagues, Members of this great House here tonight to argue about the repeal of Don't Ask, Don't Tell. There are 176 cosponsors to repeal this act, but one of these Members is the highest-ranking enlisted soldier ever to serve the United States Congress. He was a command sergeant major. That is the highest rank you can become in the United States Army in the enlisted ranks. He is a sophomore Congressman from Minnesota. His name is TIM WALZ. He is an American patriot and a hero, and I'd like to turn it over to my colleague and my friend, TIM WALZ from the great State of Minnesota.

Mr. WALZ. Thank you to my colleague, the gentleman from Pennsylvania. Thank you for your service in the military. Thank you for your leadership in this Congress and, especially, thank you for standing forward on this important issue. The colleagues who have joined us here tonight understand this issue is one of civil liberties, of basic human dignity and of national security.

As my colleague said, I had the privilege and the honor to serve this Nation for 24 years in uniform. I can tell you, there is no greater privilege than putting on the uniform of the United States Army and trying to do the best

you can to make sure that our personal liberties and our security of this Nation are maintained. The idea of denying that privilege and that honor to any American is simply unfathomable to me. It makes no sense. I can tell you, approaching this from a perspective—I'm a schoolteacher by profession—I had students that I taught in the classroom, coached on the football field, trained in my Guard unit, and they went off to Iraq to fight for this Nation. They went off to Afghanistan to fight for this Nation. Not once, not once in my career did the question of sexual orientation come up. Not once was the ability of that unit to deliver the security and deliver their mission ever predicated on sexual orientation. Not once did I see that this Nation was safer because a soldier was removed because of sexual orientation.

This issue and in the position I was in as a senior enlisted soldier, my whole purpose in life was to make sure our troops were trained; make sure they were prepared to do the mission and make sure their well-being was taken care of; make sure they could pass their physical proficiency test, make sure they could fire their weapon to the best of their ability; make sure they understood the mission and they understood the tactics to carry out the mission that was assigned to them to protect this Nation.

The professionalism of our troops is beyond question. The professionalism to be able to carry out a mission as assigned to them and to fall back upon their training has led us to have the most successful and proficient military in the world. The idea that these soldiers would be degraded because of the sexual orientation of someone doing the exact same thing alongside them is not only a fallacy; it is degrading to the professionalism of most soldiers there.

We serve today, right alongside in Afghanistan, 12 nations that allow their military to serve as openly gay and lesbian soldiers. Not one incident in that conflict has arisen because of that. And as my colleague from Pennsylvania so clearly pointed out, as that generation of young people willingly raise their hand at a time of two wars to serve this Nation, we're turning out some of the most skilled warriors and turning them out of the military for a bias on sexual orientation that has no place, has no need, and is not undermining our security.

My colleagues here tonight are going to make and have already made a very eloquent case for this. The United States public has a very strong preference that we allow people to serve in the military. We allow them to do their duty. We make sure that our Arab linguists are there, and we've sent many of them out the door because of this archaic and outdated policy. It doesn't reflect the values of this Nation. It doesn't reflect what we know in the military as a sense of trust amongst comrades.

There is a very eloquent quote—I think one of the most powerful speeches ever given, and it was given by the Marine Corps' first rabbi, Rabbi Gittleston on Iwo Jima. Rabbi Gittleston was chosen and asked to give the eulogy over the dead at the Battle of Iwo Jima. There was a strong bias about having a rabbi give last rites over Christian soldiers. The decision was made to have three different services. But during Rabbi Gittleston's remarks, he was very clear about this: an enlisted man and an officer lay dead together, black and white, rich and poor, sons of immigrants and fourth-generation Americans. Not one of those people asked the other why they were there. His point was, theirs was the purest democracy, arm in arm, brothers and sisters in arms fighting for this Nation. And for any of us to discriminate against another because of any perceived bias was to disregard and disrespect the valor and the memory of those who have served.

So I want to thank my colleague from Pennsylvania, Captain MURPHY, an Airborne soldier, served honorably in Iraq and has served this Nation well. He came to Congress to do the same thing and has courageously stood up time and time again for what's right, what's for the best security of this country and what keeps in the best traditions of civil liberties in this country.

So I stand with my captain side by side on this. I can assure the American public, the professionalism of our force and the unwavering commitment to this country of the military is in absolutely secure hands, and to give other Americans the ability to serve and be a part of that is something that this Congress must do. So Captain MURPHY, I congratulate you. I thank you for doing this. I'm proud to stand with you. You have over 170 of our colleagues with you on this. It's time to move this forward. It's time to erase this mistake for our security and for Americans. I'll be with you every step of the way. So thank you for that.

With that, I yield back to the gentleman from Pennsylvania.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentleman from Minnesota. There are two points that he mentioned that I would like to highlight. The first is the fact that there are 27 other nations that allow their troops to serve openly. Some of our toughest allies—Great Britain, Israel, the Aussies—they all allow their troops to serve openly with no detrimental effects.

□ 2210

Secondly, the command sergeant major mentioned Iwo Jima. I spoke to 250 senior leaders in the United States Army yesterday, and, unsolicited, I got an e-mail this morning from one of those colonels that I met with. And this Army colonel wrote me a note, and he said, "In fact, gay men and women have been serving honorably in our

military for decades." He sent me a moving passage from a book about World War II entitled, "Stories from the Pacific." Reflecting on his experiences, a Marine wrote:

"That lesson of tolerance was well learned by the men in our company. During three amphibious campaigns in which we took part in Bougainville to Iwo Jima, valor and unselfishness were commonplace. I saw bravery and sacrifice all around me.

"One of the most courageous men I met was our Navy corpsman, Billy Hauger, a teenage boy who always put our well-being ahead of his own. In combat, he cared for us. He bandaged our wounds and comforted our men as they died. Often he would leave his position of relative safety and move out into the hail of enemy gunfire to treat a downed marine or pull a man to safety.

"On Iwo Jima, he risked his life time and time again to take care of his fellow men. On his last rescue attempt, he was badly wounded when a Japanese Nambu machine gun put a round through his thigh and another high in his chest. Billy's wounds were life-threatening, and he was quickly transported out to the hospital ship for treatment. But Billy didn't make it.

"Billy was posthumously awarded the Navy Cross, our Nation's second highest honor for extraordinary heroism under fire. I loved Billy Hauger then and I will always love him. Billy Hauger was a homosexual. Every single marine in our company will be proud to stand with him and call him friend and brother."

He's looking down from heaven right now, and he's looking at us in this hall today. And I'm proud to stand with every one of you as we champion the repeal of Don't Ask, Don't Tell.

With that, I yield to my colleague, the congresswoman from California, Mrs. LOIS CAPPS.

Mrs. CAPPS. I thank my colleague from Pennsylvania, Mr. MURPHY, for yielding.

I am so honored to be with you this evening, and I thank you for organizing this time and for your leadership on this issue.

It's a humbling experience to come to the podium and come to the well following the eloquent testimony that you and our colleague TIM WALZ have given us, the two of you having distinguished yourselves in uniform serving our country on the battlefield. And your eloquence in your statements and also your testimony to the importance of this legislation gives credibility to it and credence to it that you alone uniquely, I believe, in this body have that ability to do, and I thank you that you are stepping up and leading this effort.

I am honored to join you. I believe it takes those of you who served to express your leadership in this way, but I also believe that the rest of us who didn't have that experience of serving but who are so grateful to those who

did want to join you in this kind of effort. I am so honored to stand here this evening tonight with our colleagues from different parts of the country, from different backgrounds and experiences, all with this conviction that we have and lending our support to the Military Readiness Enhancement Act.

It's been stated already, and it's going to be stated again, Don't Ask, Don't Tell is discriminatory, detrimental to the productivity of our Armed Forces, and it really contradicts the very foundation of equality that the United States of America is founded upon. Plain and simple, it is way past time for this prejudiced policy to end.

As you stated before, over 12,000 men and women have been discharged from the military since 1993 because of their sexual orientation, because of their sexuality. That's over 12,000 gifted and qualified individuals our military could not afford to lose in the first place.

We must keep the repeal of Don't Ask, Don't Tell on our priority list in this Congress, and this issue must also remain on the national conscience as well. We have to seek out every opportunity that we can to educate our constituents that Don't Ask, Don't Tell threatens not only our national security but all of our inherent rights as Americans.

I'm very grateful for the countless individuals who are working in our communities to do just that. Many of them are current and former members of the military, and they do their service and they do our country a great honor by doing that, but I want us to widen that. We can't leave it up to those who have served to tell their story out of their own personal experience. We have to also join them because we are part of that movement as well. And there are numerous organizations working across the country to inform people and citizens, all citizens, about the injustice of this policy.

I am very proud that one of these organizations, the Palm Center, is located at the University of California, Santa Barbara, in my district. Nathaniel Frank is a senior research fellow at this center. I have listened to him and had him explain his research to me, but he has written also extensively about how detrimental this policy is in a book that he has published entitled, "Unfriendly Fire."

He explains how Don't Ask, Don't Tell has added to the challenge of recruiting and keeping qualified soldiers in the military, and he also describes how the ban undermines the unit cohesion that it is supposedly designed to protect. The very reasons for establishing this policy have had the effect of undermining troop morale and troop discipline. And this is evidence that has been gathered now, substantial enough, that it is way past time, as I said, for us to act on it.

With the assistance of organizations like the Palm Center, important volumes like "Unfriendly Fire," and the

testimony of our civilian and military allies, we can and really we must overturn the ban on gays in the military.

I applaud our President's stance on this issue, and I look forward to getting the Military Readiness Enhancement Act to his desk as soon as possible. I believe that's our goal, and I'm grateful, again, for the effort of this hour to lay the groundwork for it.

Every day that passes with the Don't Ask, Don't Tell policy continuing in place, the United States military loses out on more and more qualified applicants. For a country at war, this is simply inexcusable, and it threatens the safety and security of our overstretched deployed troops today. Every effort needs to be taken to ensure that those serving in our Armed Forces have the materials, the support, and the work environment that they need to function most effectively.

□ 2220

The brave men and women serving today in our Armed Forces deserve nothing less than the ability to be honest about who they are.

Thank you again, Mr. MURPHY. Thank you to my colleagues for organizing this hour for giving us the opportunity to speak out on this very important issue, for holding this special order to bring further attention to the Military Readiness Enhancement Act.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the lady from California.

I would like to highlight the fact that Nathaniel Frank and Aaron Bell can do a great job at the Palm Center. They are truly our battle buddies in this cause to do what's right by our soldiers, our marines, our airmen, our sailors, and our coastguardsmen. And that's our job tonight.

Now it's my honor to turn it over to the gentleman from Colorado, Mr. Jared Polis, who happens to be my sister and brother-in-law's Congressman, and I know Brian and Kathy Mergolis out there in Westminster, Colorado, are probably watching, and I would like to turn it over now to their Congressman, Mr. POLIS.

Mr. POLIS. Thank you for highlighting some of the research that was done in your district regarding this matter. And I would like to thank Representative PATRICK MURPHY for taking this challenge on, making our military stronger, saving taxpayer money.

I would like to bring the attention of our viewers to a very recent report that was published. It's called "The Efficacy of Don't Ask, Don't Tell" by Colonel Om Prakash. You can find it on the Internet. This was a study that was done by a student at the National War College. It actually won recently the 2009 Secretary of Defense National Security Essay Competition.

One of the quotes on the cover is from General Omar Bradley, and it says, "Experiments within the Army in the solution of social problems are fraught with danger to efficiency, discipline, and morale."

Now, of course this was not in relation to our current discussion. It was in reference to the racial integration of the United States military by Harry Truman in 1948.

At some point the experimentation, the so-called experimentation, becomes the exclusion. At this point in the evolution of our society, it is more experimental to use the military as a social incubator to try and deny gay and lesbian soldiers from serving than simply allowing them to serve. The military isn't the place for evaluating whether or not we as a society accept or don't accept homosexuality. It should be designed as a fighting force to defend our Nation. And anything that compromises that weakens our military and is not in our interest as a country.

The report by Colonel Prakash—allow me to quote from it—it says, "If one considers strictly the lost manpower and expense, 'Don't Ask, Don't Tell' is a costly failure."

Colonel Prakash further quotes the GAO's estimates that the cost is \$190.5 million for the previous 10 years of Don't Ask, Don't Tell. Not only does it cost money, but it costs lives. Whenever we put anything other than our best foot forward in terms of the very most capable personnel for every particular mission, we jeopardize the lives of other men and women serving in our military. We owe it to the men and women serving in our military to ensure that the most capable person is in every job, regardless of the race or the sexual orientation of that individual.

Colonel Prakash's report ends, "Based on this research, it is not time for the administration to reexamine the issue; rather, it is time for the administration to examine how to implement the repeal of the ban."

We have a number of other speakers here tonight, Mr. MURPHY, and that is a testimony to your leadership and the importance of this issue. I look forward to engaging in a discussion after we've all had a chance to say a few words.

Mr. PATRICK J. MURPHY of Pennsylvania. I would like to highlight of this report—which is a terrific report—Colonel Prakash writes, "There are potential lessons to learn from other countries that have lifted the ban on homosexuals serving openly. There was no mass exodus of heterosexuals, there was no mass 'coming-out' of homosexuals. Prior to lifting their bans, in Canada 62 percent of servicemen stated that they would refuse to share showers with a gay soldier, and in the United Kingdom, two-thirds of males stated that they would not willingly serve in the military if gays were allowed. In both cases, after lifting their bans, the result was 'no effect.'"

In a survey of over 100 experts from Australia, Canada, Israel, and the United Kingdom, it was found that all agreed the decision to lift the ban on homosexuals had no impact on military performance, readiness, cohesion, or ability to recruit or retain. Nor did it increase the HIV rate among troops."

□ 2230

He concludes his article by saying, as you mentioned, “Don’t Ask, Don’t Tell has been costly both in personnel and treasure. In an attempt to allow homosexual servicemembers to serve quietly, a law was created by this Congress that forces a compromise in integrity, conflicts with the American creed of ‘equality for all,’ places commanders in difficult moral dilemmas, and is ultimately more damaging to the unit cohesion its stated purpose is to preserve.”

“Furthermore, after a careful examination, there is no scientific evidence to support the claim that unit cohesion will be negatively affected if homosexuals serve openly. In fact, the necessarily speculative psychological predictions are that it will not impact combat effectiveness.”

“Based on this research, it is not time for the administration to reexamine the issue; rather, it is time for the administration to examine how to implement the repeal of the ban.”

And that, my friends, is from the Joint Force Quarterly. That is a publication from the chairman of the Joint Chiefs of Staff of our country.

With that, I would like to now turn it over to the congresswoman from California, Ms. LYNN WOOLSEY.

Ms. WOOLSEY. I would like to thank the gentleman from Pennsylvania for organizing tonight’s Special Order because the men and women who serve in our military deserve nothing less than our respect, our support, and our admiration, yet the Department of Defense continues to deny them the respect they have earned by pursuing a devastating policy that is nothing less than discrimination against gay servicemembers.

Don’t Ask, Don’t Tell requires that the military discharge gay, lesbian, and bisexual servicemen and women because of their sexual orientation. A servicemember could be the best sharpshooter, the best medic, or the best language specialist in the military; it doesn’t matter if he or she is a captain or a cadet having served 3 days or 30 years. If that Member is openly gay, he or she is fired.

Don’t Ask, Don’t Tell denies our Nation their service, it denies our Nation—makes us less safe because this terrible and open discrimination in the military does no good. It takes away great members that should be working in what they want to do and helping us be safer day in and day out.

It’s clear that Don’t Ask, Don’t Tell is a failed policy that not only punishes the thousands of highly qualified servicemembers who have been discharged from the military, but it wastes millions of taxpayer dollars as well. When you add up the cost of the training, the food, the lodging, the equipment, the uniforms, the staff support, and the transportation, our country makes a huge investment in our servicemembers to be the best in the world. But because of Don’t Ask, Don’t Tell, all of this training and funding is wasted if a trained servicemember is openly gay.

How can we invest the tens of millions of dollars in these young men and women, all of whom are desperately needed by the military, yet tell them they can’t serve our country?

This inflexible policy continues to weaken our Nation’s ability to protect and defend itself by retaining qualified servicemen and -women. We must stop this. Don’t Ask, Don’t Tell has to go away. I was a freshman when we put this terrible policy in place, and believe me, I worked really hard trying to defeat it, but it’s there. Let’s get rid of it.

Thank you, PATRICK, for doing this.

PATRICK J. MURPHY of Pennsylvania. I thank the gentlelady from California, and I look forward to partnering with her to do that, to right the wrong from 16 years ago in this Congress and to finally overturn that discriminatory piece of legislation and to make it right for our troops.

With that, I would like to turn it over to a fellow hockey player from the great State of Illinois, although he is a Black Hawks fan and not a Fliers fan. By the way, the Fliers won their home opener tonight 6-5 against the Washington Capitals, MIKE QUIGLEY.

Mr. QUIGLEY. Thank you. I want to thank the gentleman from Pennsylvania for his service as well.

Let me briefly try to put a human face on this. When you don’t put a person on it, you can imagine it is hard to really understand the human cost with such a policy. I will give you two.

First of all, Lee Reinhart, 4 years after graduating from high school and after spending time at both public and private universities, Lee Reinhart decided he had simply not found his calling. So in September of 1995, Lee surprised his friends and family by joining the Navy. Lee served on board the USS *Cowpens* as an operations specialist working his way up to becoming a second class petty officer in the Combat Information Center, tracking both surface and air contacts.

While serving, Lee earned several medals and ribbons, including the Navy-Marine Corps Achievement Medal. Lee’s tour of duty in the Navy was completed in August of 1999. After time in the Reserves and the events of September 11, 2001, Lee wanted to return to active duty, this time to make it a career. This time he chose the Coast Guard. But soon after joining, Lee became a target and was being investigated. Lee was given two choices: he could admit he was gay and be allowed to leave the military peacefully, or he could stay and undergo an investigation with the same end result, discharge.

The point of this story is obvious. Lee had completed a full enlistment in one branch and earned an honorable discharge, but while serving in another branch, the uneven and inequitable implementation of Don’t Ask, Don’t Tell ended his career.

The implementation of Don’t Ask, Don’t Tell is uneven and subject to in-

dividuals such as Lee to the whims and prejudices of individuals.

Second Lieutenant Sandy Tsao, like the President of the United States, our dear friend Sandy is a fellow former South Sider, this time from the Bridgeport neighborhood. Sunday, February 8, 2009, marked the 1-year service anniversary of her active duty full-time service to her country. Shortly thereafter she received an honorable discharge because of her orientation.

Ms. Tsao wrote a letter to the President of the United States. She writes: “I am a second lieutenant currently serving in the U.S. Army. In addition to being an officer, I am a Christian, a woman and a Chinese American. I am proud of all these identities. Lastly, I am also a lesbian. On September 21, 2007, I was appointed as an Army officer. In the oath of office, I swore that I would support and defend the Constitution of the United States against all enemies foreign and domestic. Unfortunately, I will not be able to fulfill this oath because the current policy regarding sexual orientation contradicts my values as a moral human being.”

Today is the Chinese New Year. I hope it will bring good fortune to you in your newly elect office. Today is also the day I inform my chain of command of who I am. One of the seven Army values is integrity. It means choosing to do the right thing no matter what the consequences may be. As a Christian, this also means living an honest life. I cannot live up to these values unless my workplace ‘provides an environment free of unlawful discrimination and offensive behavior.’” That is an excerpt from the U.S. Army’s Equal Opportunity Branch.

“We have the best military in the world, and I would like to continue to be part of it. My mother can tell you it is my dream to serve our country. I have fought and overcome many barriers to arrive at the point I am today. This is the only battle I fear I may lose. Even if it is too late for me, I do hope, Mr. President, you will help us win the war against prejudice so that future generations will continue to work together and fight for our freedoms regardless of race, color, gender, religion, national origin or sexual orientation.”

For 24-year-old Sandy Tsao, we are too late. For the many other gay and lesbian servicemembers, our repeal may just be in time.

In my mind, having gone to Iraq, I looked at the brave men and women willing to make the ultimate sacrifice for our country, many of them as young as my own children. And I will tell you what I didn’t see. I didn’t see those as black or white, men or women, straight or gay, Democrats or Republicans. I saw Americans. I saw warriors. Don’t Ask, Don’t Tell is a policy so fundamentally hypocritical that it encourages citizens to put their lives on the line to serve a country built on freedom and democracy as long as they lie about who they are.

Lastly, I'm reminded always at times like this what President Lincoln said at Gettysburg. Now, it has been interpreted many ways, but I would like to think that the essence of what President Lincoln was getting to was, 87 years ago we created a country based on certain principles, the most important of which is that all of us are created equal.

What he was saying in Gettysburg is, Did we really mean it? Did we really mean everyone? And I ask my colleagues to think about that, especially in time of two wars, with storm clouds gathering over North Korea and Iran. Did we really mean it? Do we really mean it today, that all of us are created equal? I think we all are warriors, at least that much. Thank you.

PATRICK J. MURPHY of Pennsylvania. I thank the gentleman from Illinois. Those personal stories of our heroes that wrote to you are very powerful and very moving. I will tell you since I took over the leadership of repealing Don't Ask, Don't Tell by enacting the Military Readiness Enhancement Act, I have gotten letters from all over the country and from overseas in Iraq and Afghanistan. And one of those letters that touched my heart and frankly broke my heart was from a soldier in Afghanistan. See, when I served in Iraq 6 years ago, I had 19 of my fellow paratroopers in the 82nd Airborne Division that gave the ultimate sacrifice. But one of them committed suicide. One of those 19 never made it home to see his family again. But this letter broke my heart because, and you will see, this hero was dealing with the Don't Ask, Don't Tell policy.

He writes: "Sir, as you know, military spouses and other family members are important parts of the larger 'team' that is essential for our national defense. But such support is fundamentally closed off to the partners of gay servicemembers, even though these partners may be making the exact the same sacrifices as their straight counterparts.

"And it's even worse. Gay servicemembers and their committed partners have to worry that an overheard phone call, an intercepted email, or other type of compromised private communication could lead to a humiliating, career-destroying investigation. This is no way to treat American patriots.

"I write of these matters from personal experience. When the 9/11 terrorist attacks occurred, I was in a serious long-term relationship. The extensive active duty I did after 9/11 put a serious strain on this relationship. The relationship fell completely apart during my first deployment to Afghanistan in 2003.

"One of the big risk factors contributing to soldier suicides is the breakup of serious relationships. This is exactly what I experienced, and in the context of a combat zone deployment. I can still vividly remember sitting alone in Afghanistan, cradling my government-issued pistol in my hands and fighting the urge to blow my own brains out.

"What made that personal struggle in Afghanistan particularly difficult was the isolation that was imposed on me as a consequence of the Don't Ask, Don't Tell policy. A straight soldier in a similar state of crisis could go to his commander, his first sergeant, or his 'battle buddy' for support. But if I as a gay soldier had gone to my commander with the details of my situation, he would have been obligated to start the process of kicking me out of the Army.

"The Don't Ask, Don't Tell policy is wrong. I say this not just as an individual soldier, but also as someone with extensive experience as both a platoon leader and company commander. When I have been in such leadership positions, I have had straight soldiers share with me some of the most shockingly intimate details about their personal lives. I was glad that these straight soldiers put their trust in me, because I was able to offer each one the counsel or moral support that he or she needed at that time.

□ 2240

"Gay soldiers should also have that right to go to a commander, a first sergeant, or a battle buddy and not have to the worry about the ramifications of the Don't Ask, Don't Tell policy. The Don't Ask, Don't Tell policy shackles the hands of leaders like me. It prevents us from giving all of our troops the supportive leadership they deserve. The Don't Ask, Don't Tell policy throws up walls between battle buddies. It is an ugly stain on our national honor."

I now yield to the new freshman, the gentlewoman from the great State of Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Thank you so much, Congressman MURPHY. Thank you for gathering us here at this late hour and also for taking on the leadership role in this extremely important issue. I am very proud to be here with you and my other colleagues tonight who are taking the time to talk about how important this is. And I would like to add a few words that can't come close to expressing what people have done in letters and stories that have already been told, but I do want to add a few words from my own perspective.

In 1993, as we have talked about today, Congress passed the Don't Ask, Don't Tell law that mandates the discharge of openly gay, lesbian, or bisexual servicemembers. Under this law, as we all know and have been talking about, at least one individual a day on average is fired because they are gay or lesbian. Since 1994, that amounts to 13,000 servicemembers who have been discharged under the authority of this discriminatory act.

I am a freshman, as you mentioned, and I know this bill was passed in a different time, but as a freshman, coming in here with different eyes, as a new Member, nothing seems fair or reasonable about this policy. And as a member of the House Armed Services Committee, it is clear to me that this pol-

icy does nothing to keep our country safe. And it does nothing to move our country forward in protecting the very rights that the brave men and women of the military are fighting to protect.

In fact, I believe this policy has the opposite effect. Don't Ask, Don't Tell has been responsible for the dismissal of highly qualified soldiers, as we said, almost 13,000 soldiers, that our country desperately needs at a time when we are engaged in two active conflicts overseas.

We have talked a lot about this report which has just been recently released. And As Colonel Om Prakash recently said, as others have said in the Joint Force Quarterly, Don't Ask, Don't Tell has been costly both in personnel and treasure, and is ultimately more damaging to the unit cohesion its stated purpose is to preserve.

We talk a lot about the numbers, about our need for trained members, like experienced Arabic translators, which we know this damages. Tonight we have heard thousands of stories of the men and women who willingly serve our country and, oh, by the way, happen to be gay.

I heard a story recently of a soldier whose partner died while he was serving in Iraq. Because he was gay and because his partner was a male, he couldn't openly grieve or talk, just as you mentioned, to his commanding officer or to any other troops.

I heard about a young woman who wanted to follow in her father's footsteps but because she was openly gay, a lesbian, she could not serve in the military, and it was her life goal.

I, like many of my colleagues, have visited in Iraq and Afghanistan and I have seen the chaos and the confusion, the danger that our soldiers take on every day in which many of them serve.

In my State, like many other States, I attend the ceremonies where we send them off, where we welcome soldiers home, and I look at them, young and old, men and women. And I, like many others, attend the funerals when those soldiers don't come home, and I have hugged the parents of military members who don't come home and know the grief that they feel. But of all of those soldiers, whether you see them in Iraq and Afghanistan, you see them as they are going off, I just see young men and women, older men and women in the Guard who are willing to serve our country. I don't see anyone who is gay or straight. I see, as one of my colleagues said, Americans, people who are willing to serve.

I stand here today in support of every single one of our soldiers, no matter what their sex, their ethnicity, or their sexual orientation. They deserve our respect and deep gratitude and support, and every single one of them deserves the honor just as they are to serve our country.

Thank you so much for taking on this issue and being here tonight.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentlelady from

Maine. That was powerful. I tell you, you are doing a fantastic job as a new Member of Congress. We are proud to have you and lucky to have you in this Hall.

With that, I would like to turn it over to gentleman from New York (Mr. ARCURI), the former prosecutor from Utica, an Italian Catholic like my mother, who came in in the 2006 class.

Mr. ARCURI. I thank my friend from Philadelphia and for his courage and determination in being here.

This issue, I was sitting there and I turned the TV on this evening and I didn't know you would be here, and I saw you on the floor and I really wanted to come down. My comments pale in comparison to some of the comments made and stories told, but I think it is very important that people weigh in on this issue. This is not the kind of issue that is just reserved for people who have been in the military, but this is an issue that affects all Americans. We are so proud of the freedom our country represents, and there are so many thousands of people who have given their lives over the years to protect that freedom, and they did it to ensure freedom for future generations and to ensure that prejudice and discrimination did not continue as a blemish upon our country.

Don't Ask, Don't Tell is a blemish on our country and it needs to be repealed. It needs to be removed in the same way that any prejudice and any discrimination should be removed from the books of laws of our great country.

I am here tonight to say, first off, for your leadership in this very, very important issue and for stepping forward in the courageous way you have, and for leading the charge to do not just the right thing but the important thing, the critical thing for the future of our country, I stand with you. I am proud to be a cosponsor of your bill, and I am proud to be with you here tonight.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentleman from New York. As Mr. ARCURI said, we should all weigh in and we shouldn't just leave it to those who have served in uniform. I tell you, in the Congress 40 years ago, over 75 percent had military experience. Now it is 23 percent of us here have military experience. I will tell you that you don't need to be a veteran, someone who wore the cloth of our country, to weigh in. And that is why it is great to have patriots like MIKE ARCURI, CHELLIE PINGREE, and like MIKE QUIGLEY, from all over this country, to stand up and do the right thing.

With that, I now turn it over to one of the true champions of equality in this Congress. The Congresswoman from Wisconsin has been in my home district in Bucks County, Pennsylvania, and we keep asking her to come back because she has more fans there than I do, I think. Luckily, she is not running against me in a primary. But I will tell you, Ms. TAMMY BALDWIN is a

true champion for all of us with what is right in America.

Ms. BALDWIN. I want to thank my friend and colleague both for your service to your country and for your leadership on this very critical issue. And also thank you for yielding me some time this evening to talk about it.

I join you in strong support of H.R. 1283, the Military Readiness Enhancement Act. We have heard throughout the evening in 1993 Congress passed Don't Ask, Don't Tell, a law mandating the discharge of openly gay, lesbian, or bisexual servicemembers.

At the time, this law was intended as sort of a compromise to allow gay and lesbian servicemembers to serve in the military so long as they did not disclose their sexual orientation, so long as they hid being gay, lesbian, or bisexual. In other words, this compromise required our servicemembers to conceal, at best, or to lie, at worst. And in an organization such as our military where trust and unit cohesion is so important, this was just untenable.

Fifteen years later, we know that Don't Ask, Don't Tell is misguided, unjust, and, flat out, it is a discriminatory policy. Not only does Don't Ask, Don't Tell damage the lives and livelihoods of our military professionals, it deprives our Armed Forces of their honorable service and needed skills.

The armed services have discharged almost 800 mission critical troops and at least 59 Arabic and nine Farsi linguists under Don't Ask, Don't Tell in the last 5 years. This is just indefensible.

Further, the financial cost alone of implementing Don't Ask, Don't Tell from fiscal year 1994 through 2003 was more than \$363 million. Now, we can't afford to lose any more dedicated and talented servicemembers to Don't Ask, Don't Tell, and surely we can put these dollars, these resources, to much better use.

□ 2250

Earlier this summer I had the pleasure of meeting Air Force Lieutenant Colonel Victor Fehrenbach. He's an exceptional serviceman who's being discharged under the Don't Ask, Don't Tell law. Lieutenant Colonel Fehrenbach has honorably served his country for 18 years as an F-15E pilot. He received nine Air Medals, including a medal for heroism during the 2003 invasion of Iraq. And he was handpicked to protect airspace over Washington, D.C. after the Pentagon was attacked on September 11, 2001.

Lieutenant Colonel Fehrenbach, who has flown combat missions in Iraq and Afghanistan, against the Taliban and al Qaeda, continues to serve while the recommendation for his honorable discharge moves forward to a review board and eventually to the Secretary of the Air Force. Just 2 years away from his 20-year retirement, this dedicated serviceman stands to lose \$46,000 a year in retirement and medical benefits for the rest of his life if he's discharged.

There are approximately one million lesbian and gay veterans in the United States today, as well as 65,000 lesbian and gay servicemembers currently serving in our Armed Forces. Like Lieutenant Colonel Fehrenbach, these brave servicemembers are fighting and dying for their country in two wars. They're making sacrifices, and some are making the ultimate sacrifice, just like their straight counterparts. It makes no sense, and I just believe it's flat out wrong to discharge capable servicemembers for something as irrelevant as their sexual orientation.

Now, as my colleagues have discussed this evening, the Military Readiness Act would prohibit discrimination on the basis of sexual orientation against any member of the Armed Forces or any person seeking to become a member. Further, the Act would authorize the re-accession into the Armed Forces of otherwise qualified individuals previously separated under Don't Ask, Don't Tell.

Finally, the Act would require that regulations governing the personal conduct of members of the Armed Forces are written and enforced without regard to sexual orientation. It's long past time for Congress to act to end discrimination against gays, lesbians and bisexuals in our Armed Forces by passing the Military Readiness Enhancement Act. So I stand ready to join my colleagues in repealing this dishonorable law as soon as possible and restoring justice and equality in our Armed Forces.

Mr. Speaker, before I conclude, I really do want to commend you, my colleague from Pennsylvania, Congressman PATRICK MURPHY, for your bold leadership and your work in helping us move closer to repealing Don't Ask, Don't Tell. You have taken the lead in advancing this bill, and I look forward to working with you to see that day come.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentlelady from Wisconsin. And as she mentioned Lieutenant Colonel Fehrenbach, the fact that we trained him and spent millions of dollars on his training to do what's necessary to keep our family safe here at home and in a faraway place like Iraq and Afghanistan, and just to throw him out and just discharge him like that is really a stain. It is a stain on our military. And it's a stain on this Congress for not acting quick enough.

It reminds me—you know, I had the great honor to teach at West Point. I taught constitutional law at the United States Military Academy at West Point. I was there from 2000 to 2003. And Forbes Magazine just rated West Point the number one college in America. It costs the American taxpayer about a quarter-million dollars to train each one of those cadets to become second lieutenants, to become leaders of character, not just for the 5-year active duty military commitment, but for a lifetime of service.

One of those cadets when I taught there was Lieutenant Dan Choi. Lieutenant Choi is an Arabic speaker, an Army officer, an Iraq war veteran and another one, one of the 13,000 that we just threw out of the military, not for any type of sexual misconduct. And let's be clear. If there's sexual misconduct, whether homosexual or of a heterosexual nature, throw them out. But just because he was gay, just because of his sexual orientation, and that is wrong. I'd now like to turn it over to my colleague, Mr. JARED POLIS, for any comments that he may have.

Mr. POLIS. You know, I'm struck by the sharing of the number of stories, a lot of similarities, many service men and women over the last decade and a half since this policy has been implemented, kicked out for no good reason. You know, what company, and I come from the business sector, could do this kind of thing? It doesn't increase your competitiveness. If you have people that you put hundreds of thousands of dollars into training, and then you don't like who they date and so you say, you're fired. You have people with excellent performance ratings, top of the category and you are saying, sorry, we're going to put somebody who might have a lower rating in your job because, again, we don't like who you date.

That's no way to run a company. It's no way to run a country. It's no way to run the best military. And what we owe to every one of our men and women who are in uniform, who put their lives at risk every day, is to make sure that we put our best foot forward militarily and do everything in our power to protect every life of every man and woman who serves. And when we remove people who would perform better, who are needed for certain functions, who have to cost more to retrain, we jeopardize the lives of other soldiers who are serving with them.

This also has an effect on recruitment and retention within the military. I heard a few weeks ago from somebody who's currently serving. He was facing a decision of whether to reenlist for another few years. He said, You know, when do you think don't ask don't tell will end? If you think it's going to end soon I'm going to re-up for another 5-year period. If not, I'm probably going to get out now.

I didn't know what to tell him. I said, well, Representative MURPHY's working on it, and I have every degree of confidence in him. I said, I hope that we will get it done in the next year or two. I think we will.

If he chose to leave the military, that's our loss. That's our military's lost. The cost of replacing that individual, the cost of training somebody to get up to speed at a time when we need more men and women to serve in uniform, is a cost to taxpayers and a cost to our national security. All of these stories resound that we are engaging in an extremely short sighted policy. How can be it be argued that all

of these excellent men and women with great command, great evaluations that are kicked out for no particular reason other than who they date, how can it be argued that that makes our military stronger? It simply doesn't. And we need to correct this policy to ensure that we have the very best military to defend our national interests here and abroad.

Mr. MURPHY. I thank the gentleman from Colorado. I know our time is almost over. But I will tell you, you know, one way to run a company, one way to run the military, but I will tell you that there are military leaders that have served our country that are adamantly opposed to discriminating and going further with this Don't Ask Don't Tell policy. I will note one of them was the Chairman of the Joint Chiefs of Staff, a four-star general, General John Shalikashvili. He's written two op-eds, and I particularly want to point out the one where in 2007 he wrote an op-ed in *The New York Times* entitled "Second Thoughts on Gays in the Military."

He particularly points to a generational shift in the attitudes of our servicemembers towards gays and lesbians. So he writes: "When I was Chairman of the Joint Chiefs of Staff, I supported the current policy because I believed that implementing a change in the rules at that time would have been too burdensome for our troops and commanders. I still believe that to have been true.

"The question before us now though is whether enough time has gone by, 16 years, to give this policy serious reconsideration. Much evidence suggests that it has.

"Last year I held a number of meetings with gay soldiers and marines, including some with combat experience in Iraq, and an openly gay senior sailor who was serving effectively as a member of a nuclear submarine crew. These conversations showed me just how much the military has changed, and that gays and lesbians can be accepted by their peers.

"I now believe that if gay men and lesbians served openly in the United States military, they would not undermine the efficacy of the Armed Forces. Our military has been stretched thin by our deployments in the Middle East, and we must welcome the service of any American who is willing and able to do the job.

"By taking a measured, prudent approach to change, political and military leaders can focus on solving the Nation's most pressing problems while remaining genuinely open to the eventual and inevitable lifting of the ban. When that day comes, gay men and lesbians will no longer have to conceal who they are, and the military will no longer need to sacrifice those whose service it cannot afford to lose."

□ 2300

In conclusion, Mr. POLIS, I am proud that you are my battle buddy in this

endeavor. Again, there are 176 of us. We are hoping to get more of our colleagues. We need 218 votes. I will yield to you for 30 seconds and any closing comments you may have.

Mr. POLIS. In addition to General Shalikashvili, one of the original co-sponsors of the bill, former Representative Barr of Georgia, has come out in favor of the repeal. The former Commander in Chief of the United States military, President Bill Clinton, who signed Don't Ask, Don't Tell, has come out in favor of a repeal. The times have changed, and what was, in our judgment at one time, a decision of military preparedness, it might have been that good minds disagreed with whether it was in our interest back in the early nineties, that idea has changed. The tone of the country has changed, and it is more than time. The time has long passed to end this policy of discrimination within our military.

Mr. PATRICK J. MURPHY of Pennsylvania. I appreciate those comments. Also, another former chairman of the Joint Chiefs, Colin Powell, has actually come out and said that it is now time to reevaluate it. So in conclusion, Mr. Speaker, to the men and women at home, across our country and overseas in places like Iraq and Afghanistan, now is the time to act in the sense of urgency to repeal Don't Ask, Don't Tell. It is vital to our national security. No longer can we afford to let go of 13,000 qualified and honorable troops. We must do right by our taxpayer. It makes no sense that we spend \$1.3 billion to train these heroes up and then to just kick them out because of their sexual orientation.

And lastly, this policy is simply un-American. It goes against the very fabric which makes our country great, that we're all created equal.

Mr. HONDA. Mr. Speaker, I rise this evening to express my support for repealing the United States military's "Don't Ask, Don't Tell" policy.

I want to thank my colleague, Congressman PATRICK MURPHY for organizing this Special Order Hour on the importance and urgent need for repealing "Don't Ask, Don't Tell."

I have long been a friend and an ally of the lesbian, gay, bisexual and transgender (LGBT) community and I am committed to the cause of equality.

I understand first hand discrimination based on racial prejudice, war hysteria, and a failure of political leadership. President Franklin Delano Roosevelt signed Executive Order 9066 on February 19th, 1942 which forced 120,000 Japanese Americans into internment camps during World War II.

Many of these families, including mine, lost their property and possessions during the several years they were jailed behind barbed wire.

Once again we find ourselves in perilous times. Our country and our civil liberties are constantly in jeopardy after the attacks of September 11th launched our nation in a "war" against terror.

It is more important than ever to speak up against unjust policies. There is much to be learned from my experience during World War II, as well as the experience of other groups about the destructive consequences of discrimination.

For over 60 years, it has been the U.S. military's official policy to exclude individuals based on their sexual orientation and gender identification. Reflecting one of our country's last officially sanctioned forms of bigotry, this policy stigmatizes patriotic Americans by excluding them from military service.

In 1993, President Clinton introduced the "Don't Ask, Don't Tell" policy as a 'compromise' when he was not able to overcome Congressional opposition to lifting the ban on LGBT participation in the armed forces. Unfortunately, this policy works to silence LGBT personnel among the ranks of our military, making them invisible to the American public they bravely volunteer to protect and defend.

Notwithstanding the "Don't Ask, Don't Tell" policy, countless veterans have served and continue to serve selflessly in the defense of our nation. Yet while thousands of our men and women continually serve to protect our freedom and liberty and put their lives on the line to do so, many are dismissed once their orientation or identification becomes known.

This policy is not only unfair to LGBT individuals, it also hinders our military's ability to perform its mission. Despite our need for language specialists, almost 800 mission-critical troops and at least 59 Arabic and nine Farsi linguists have been discharged under "Don't Ask, Don't Tell" in the last five years solely based on their sexual orientation.

It is the right of all Americans to live open lives within society, free from prejudice, intolerance, and fear, irrespective of race, ethnicity, age and perceived sexual orientation and gender. The contributions made by LGBT veterans, and those in active duty in an atmosphere hostile to them, underscores the tremendous sacrifices they make to serve this nation and I commend and thank them for their commitment and perseverance.

I have the honor of knowing Ashwin Madia, a former Marine Corps JAG officer now living in Minnesota, who was one of the first attorneys to successfully defend a fellow Marine from treatment under the "Don't Ask, Don't Tell" policy and who told me about his work on this case. If convicted this Marine would have faced an "Other Than Honorable Discharge" and lost his benefits.

When this Marine returned to service, he was welcomed by his comrades and was treated with respect and honor. Sadly, since the "Don't Ask, Don't Tell" policy went into effect in 1994, nearly 13,000 servicemembers were not as fortunate and were discharged.

Today there are over one million gay and lesbian veterans and over 65,000

LGBT members of the military serving in fear of being discharged for simply being themselves.

Repealing "Don't Ask Don't Tell" is long overdue. On this the military courts have spoken, military leaders have spoken, servicemembers have spoken, and our President has spoken. Today Congress is speaking as well. The Military Readiness Enhancement Act of 2009, H.R. 1283, has 176 cosponsors united and committed to ending this discriminatory policy.

It is time to support our troops by honoring their right to live and serve as their true selves. It's time to ask, it's time to tell, and it's time to get over it.

As policy makers, we are often faced with choices between what is urgent and what is important. But it's a false choice. The urgent issues of the day should never drown out what's important. Full equality for every person under the law is both urgent and important.

Thank you to our active military and to our veterans for their service to this great country. It is in your honor that this Congress will ensure every woman and man wishing to serve can do so, without fear or prejudice.

I look forward to working with my colleagues to end discrimination of LGBT people in the workplace and in our immigration policies as well expanding hate crimes to include perceived sexual orientation and gender identity and providing Federal recognition of the commitment between same-sex couples.

Ms. LEE of California. Mr. Speaker, thank you, Congressman PATRICK J. MURPHY of Pennsylvania, for arranging this special order on ending the outdated and discriminatory policy of "Don't Ask, Don't Tell".

Thank you for taking up, H.R. 1283, which was originally introduced by our former colleague Congresswoman Ellen Tauscher.

I'm proud to serve as a vice chair along with several of my colleagues of the Congressional Lesbian, Gay, Bisexual, and Transgendered Equality Caucus which we established last year under the leadership of Congresswoman TAMMY BALDWIN and Chairman BARNEY FRANK.

We've made a lot of progress as a nation, in terms of society's recognition of the need to support basic fundamental human rights for all people—regardless of what their sexual orientation or gender identity happens to be.

I am pleased that we will finally take up legislation to extend hate crimes protections to the LGBT community.

However, we still have a long way to go to achieve the very simple and basic goal that we all seek—equal treatment for all under the law.

One critical step on the path to that goal is ending discrimination based on sexual orientation in our military.

The experience of our allies shows that having openly gay servicemembers does nothing to reduce the capability or effectiveness of the military. Our strongest allies have ended the ban in their militaries and have not suffered the exaggerated fears about weakening "unit cohesion" or lowering morale.

The misguided concerns about gays in the military, which precipitated the adoption of

"Don't Ask, Don't Tell" have proven to be completely unwarranted.

Our military served as a leader in ending discrimination and segregation of minority troops in their ranks and helped to lead the nation as a model of fairness.

It should do so again, by ending this policy and giving every American the opportunity to proudly and openly and equally serve their nation.

It makes no sense to kick out thousands of trained and capable soldiers even as recruiters pay huge bonuses to find new recruits.

Just look at the numbers, since 1993:

Numbers of Don't Ask Don't Tell discharges—13,000;

"Mission Critical" soldiers discharged—800;

Arabic linguists discharged—58;

Estimated LGBT currently serving—65,000.

Fixing the clear discrimination of "Don't Ask Don't Tell" doesn't end the fight.

We've got to go further.

We must:

Pass the Employee Non-Discrimination Act;

Pass comprehensive immigration reform legislation that ends discrimination against the LGBT community;

We must ensure that federal benefits are extended to cover LGBT partners;

Repeal the Defense of Marriage Act.

Despite the challenges ahead, I know that as a nation, we will continue down the road of progress and equality under the law.

I will continue to do my part to support the rights of the LGBT community.

Let me, again, thank Congressman PATRICK J. MURPHY of Pennsylvania for this important Special Order.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to voice my support for the repeal of the Department of Defense's policy of "Don't Ask, Don't Tell" that bans openly gay men and women from serving in the military.

Under this law, our military loses on average one person a day, and since "Don't Ask, Don't Tell" became law in 1994, almost 13,000 servicemembers have been discharged. It is startling to think that we are allowing some incredibly qualified and thoroughly trained individuals to fall out of the armed services simply for being themselves. Honesty and integrity are two of our highest ideals, and the notion that our servicemembers sacrifice their personal integrity and capacity to be honest simply to serve our country seems unhealthy and hypocritical. At this time, the contributions of every service man and woman should be highly valued, and it is important that Americans embrace these openly gay individuals as equal and essential to our nation's armed services.

Furthermore, I believe that we must work towards ending discrimination against every racial, religious, and sexual minority. It is imperative that we create more opportunities for all Americans, rather than intensify existing divisions. "Don't Ask, Don't Tell" is discrimination at its very worst, and we must end this policy that violates the fundamental American values of fairness and equality.

Truly, this law does harm to so many individuals, and it is time to see its end. I ask my fellow colleagues to join me in supporting the repeal of the antiquated policy "Don't Ask, Don't Tell" so that our military can reach its highest potential.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the ordering of a 5-minute Special Order speech in favor of the gentleman from Texas (Mr. GOHMERT) is hereby vacated.

There was no objection.

HATE CRIMES LEGISLATION ATTACHED TO THE DEFENSE APPROPRIATION BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for the remaining time until midnight.

Mr. GOHMERT. Thank you, Mr. Speaker.

I have listened to most of the last hour with great interest. I was owed the Army 4 years from a scholarship I had at Texas A&M. Most people my age can tell you exactly what their draft number was. I can't. I didn't care. I was going into the Army. I expected to go into Texas A&M and finish my 4 years, come out as a second lieutenant and end up in Vietnam, as many of my friends did. But Vietnam ended before I graduated. I spent 4 years in the Army. I asked on my dream sheet to be sent to Germany. So the Army sent me to Georgia, to Fort Benning. Pretty close. It begins with G-E.

We've heard many examples here of people saying, Well, gee, if gays are not allowed, they might not reenlist. If you listen to the current commanders of our U.S. military, you listen to the vast majority of the military, then they're concerned not about gays in the military but about openly gay individuals in the military. This isn't a debate. When we talk about Don't Ask, Don't Tell, it's not a debate about whether or not there will be people who practice homosexuality in the Army, Navy, Marines, Air Force, Coast Guard. That's not the issue at all. There are people who practice homosexuality who are in the service, as my friends have already indicated.

The issue is, will they be allowed to be very openly practicing such things. The current policy is, if it's not where it's openly offensive to people who think it's inappropriate, then certainly we welcome your service in the military. It's just amazing where we are right now in America. You know, going back to last September, early October, we crammed a bailout bill down America that most Members hadn't had a chance to read. I read it. Then we come through with these stimulus bills, land omnibus bills, all this stuff that's coming down. And you just go, where have we gotten to in America? The military is not a social experiment. It's not. I think my friends know that. I heard one of the gentlemen across the aisle mention, Anything that distracts from the goals of the military should not be in the military. Whether it is heterosexual open acts or homosexual open acts, indications are it's a distraction.

So this isn't an issue about whether there will be gays in the military. It's about whether or not there will be people who are openly gay in the military. And still the commanders in the field seem to fairly uniformly indicate that it will be a problem for them completing their missions at maximum efficiency. That is what needs to be known. For every example of any individual saying, Gee, if gays are not allowed to be open in the military, I may not reenlist or I won't reenlist or I didn't, you have no idea how many people apparently have indicated, If the Don't Ask, Don't Tell is eliminated, I'm not joining. I'm not reenlisting. I'm about done with the social experimentation in the military. It's no place for it.

But, actually, it seems like this hour tonight follows, interestingly, just as a hate crimes bill has been added to the Defense authorization bill. Here we've got soldiers in harm's way needing us to authorize the money that they need to have the equipment and all that they need to protect us and to protect themselves, and we're playing games with them, attaching a hate crimes bill on a Defense authorization. Most people would say, Defense authorization is a must-pass piece of legislation, and therefore, people will be afraid to vote against it, especially conservatives, moderates. So you add a hate crimes bill to the Defense authorization? Are there no bounds to which this Congress will not stoop?

We can't just say to our military members, Here is what you need. Oh, no. We're going to go beyond Don't Ask, Don't Tell. We're going to stick a hate crimes bill on this bill and hold our soldiers, who are in the field trying to protect us, hostage unless you are willing to pass this hate crimes bill with what the soldiers need. It's just mind-boggling that people in positions of authority in this Congress would be willing to do that. It's just unbelievable.

Now, we have fought over this hate crimes bill in committee and on the floor and over and over. We made amendments, offered amendments because we could see that the definition of sexual orientation is wide open to all kinds of interpretation. And someday some court somewhere will say, You know what, sexual orientation means exactly what those words mean. If you're oriented—I hope it doesn't offend. But this is part of the law. It's laws in most States or it has been certainly in many States. If you're oriented toward animals, bestiality, then that is not something that could be held against you or any bias could be held against you for that, which means you would have to strike any laws against bestiality. If you're oriented toward corpses, toward children, there are all kinds of perversions—what most of us would call perversions. Some would say it sounds like fun, but most would say were perversions, and there have been laws against them.

□ 2310

This bill says whatever you are oriented towards sexually, that cannot be a source of bias against someone. Well, that's interesting.

Someone said, well, surely they didn't mean to include pedophiles or necrophiliacs or what most of us would say are perverse sexual orientations. But the trouble is we made amendments to eliminate pedophiles from being included in the definition. In fact, we made an amendment to use the definition in another part of Federal law that would have restricted sexual orientation to only talking about heterosexuality and homosexuality. We were willing to agree to that. But that also was voted down. The majority who is in control of Congress today made it very clear in committee, through rules, through the floor here, that they did not want any limits on sexual orientation on that definition.

"Gender identity," who knows what that will some day be interpreted to mean. There is no definition for that. It's whatever anybody wants to think it means. All of this stuff is just unbelievable.

We even went so far as to say, you know what? If you're going to try to protect transgender or homosexual individuals more than other people in society, then at least give the elderly that same protection. That amendment was voted down. We're not going to give the elderly the same heightened protection we would give transgender individuals, even though elderly are frequently picked out, targeted, because they're older and considered less able to protect themselves. If anybody deserved to be in that protected class, certainly the elderly would be. But this isn't about that. This is about forcing some type of sexual practices on those who are bothered by them on the country.

It's obviously not about run-away crime regarding hate crime that's just growing and growing. In the debate earlier today on this floor, the most we heard were statistics cited from 2007, and the reason for that is that the FBI statistics show that the numbers of hate crimes have been reduced over the last 20 and 10 years. They're going down. The laws in effect are carrying out their purpose.

Also, it should be noted that there is no act of violence that the Federal hate crimes bill covers that is not already a crime in every State in the Union. It makes no sense to hold our soldiers hostage to this hate crimes bill being added on there.

Now, when you look at the status of hate in America, there is hate in America. There is. And I don't know of anybody in this congressional body that likes the idea of hatred of one for another. It's not appropriate. Those of us who are Christians believe we are to love one another. In fact, when Jesus was asked what's the most important commandment, he said love God. The other is like it: Love each other. On