

Congress of the United States
Washington, DC 20515

January 21, 2022

The Honorable Lloyd J. Austin III
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin,

The military services have made significant progress toward advancing inclusion of LGBTQ+ personnel, thanks in part to your efforts to allow open service for transgender servicemembers. At this time—ten years since the repeal of the “Don’t Ask, Don’t Tell” policy—most current servicemembers have experienced open service for lesbian, gay, and bisexual servicemembers for the majority of their careers, and we hope the same will be said ten years from now for transgender personnel.

We know from recent history that some gains can prove transient. We also know that the damage done by “Don’t Ask, Don’t Tell” and preceding policies that excluded LGBTQ+ Americans from serving openly in the military continue to impact many veterans. We believe that now is an opportune time to fully examine the legacy of these policies, and we write to request that the Department conduct a historical review of service by LGBTQ+ military personnel.

According to recent estimates, more than 100,000 servicemembers were discharged under “Don’t Ask, Don’t Tell” and predecessor policies that prohibited, and even criminalized, same-sex intimate relationships by servicemembers.¹ Countless additional LGBTQ+ Americans served in silence, hiding their true selves.

The military services employ a significant complement of professional historians who could document and examine the impact of these prohibitions on the military. We believe that this unique resource should be leveraged to fully understand the experiences of LGBTQ+ servicemembers and other personnel who served during this era in which open service was banned. We would propose engaging historians from all services and the Department in a joint historical review that would include:

¹ “Statement by President Joe Biden on the Tenth Anniversary of the Repeal of Don’t Ask, Don’t Tell,” The White House, September 20, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/20/statement-by-president-joe-biden-on-the-tenth-anniversary-of-the-repeal-of-dont-ask-dont-tell/>; “Blue and ‘Other Than Honorable’ Discharges,” National Park Service, October 30, 2021, <https://www.nps.gov/articles/000/blue-and-other-than-honorable-discharges.htm>.

- Documentation of the evolution of U.S. military policies regarding service by LGBTQ+ personnel, including how these policies were implemented, particularly related to “Other than Honorable” discharges. This documentation could cover from the origination of the policies through the 2021 reversal of the ban on service by transgender servicemembers.
- Analysis of the impact of changes to laws, regulations, and policies on LGBTQ+ service on the military and its personnel.
- Documentation and analysis of social histories that examine how individuals were affected by these policies, including enlisted servicemembers and officers who were impacted by the policies as well as commanders, investigators, and others who implemented the policies, including military personnel and DoD civilian personnel.
- As part of the social history effort, collection of oral histories of individuals who served during the various bans on open service.
- Analysis of the negative impacts of the prohibitions on the DoD mission, including due to the numbers of potential recruits turned away and those discharged.
- Publication of a historical report summarizing the historical findings of the project and establishment of an archive (in cooperation with the National Archives, the Library of Congress, or another appropriate entity) to retain the oral histories recorded as part of the project.

Thank you for your consideration of this request. We look forward to your reply and to working with you on these important issues. The staff contacts for this request are Peter Tyler (Peter.Tyler@mail.house.gov) for the House Veterans’ Affairs Committee and Ilka Regino (Ilka.Regino@mail.house.gov) for the House Armed Services Committee.

Sincerely,



Mark Takano, Chairman
Veterans’ Affairs



Adam Smith, Chairman
Armed Services



Jackie Speier, Chair
Military Personnel
Subcommittee