



THE
FORWARD OBSERVER

THE NATIONAL NEWSLETTER OF AMERICAN VETERANS FOR EQUAL RIGHTS, INC.
VOLUME 3 ISSUE 2 DECEMBER 2007

**Elmer & Gus . Since 1945
A Soldier Speaks . Danny Ingram
The Forgotten Veterans
Veterans Day 2007**

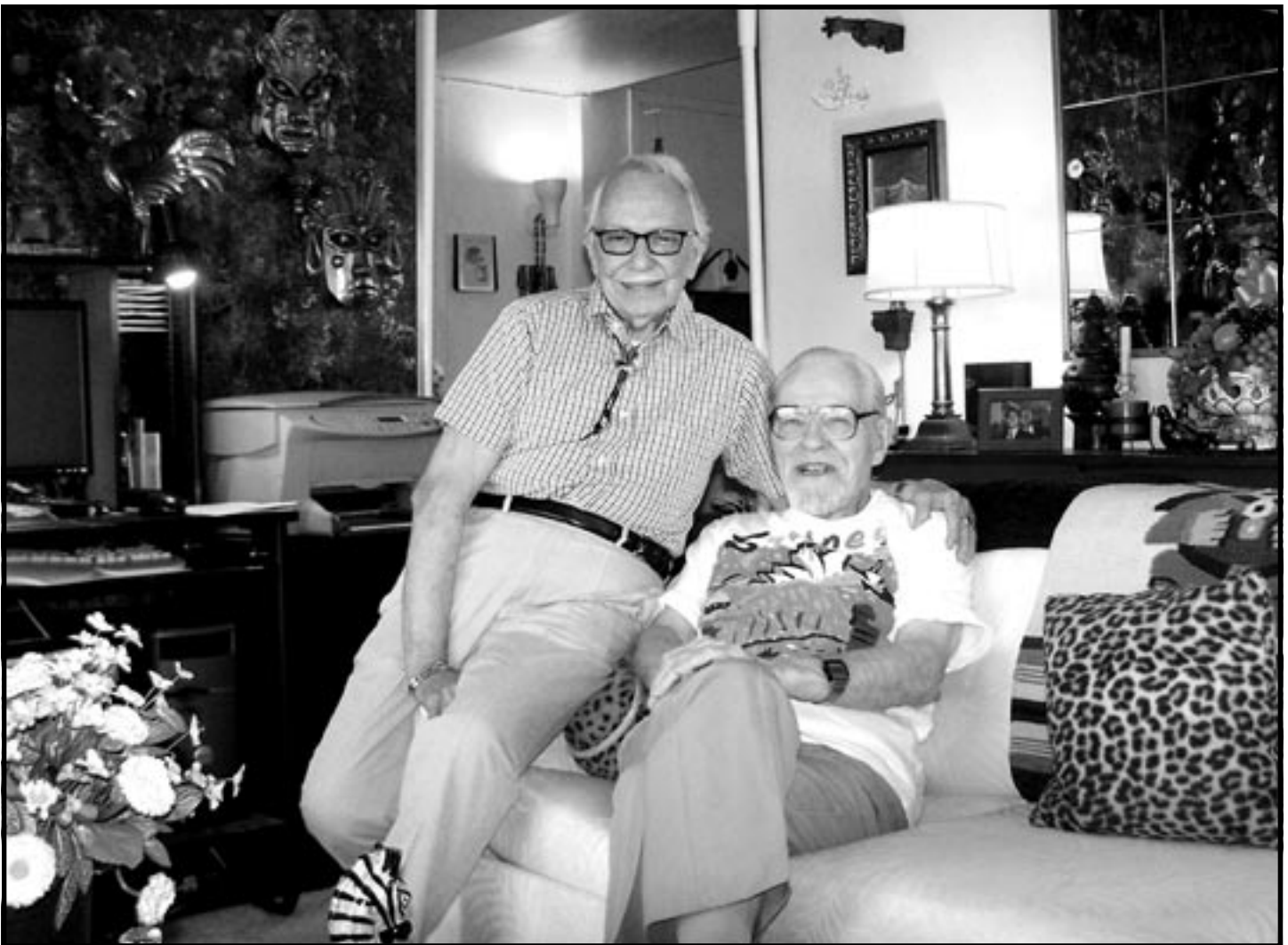


photo by Denny Meyer, AVER PAO

July 2007 - New York, NY. Elmer Lokkins and Gus Archilla in their home, together since 1945. Elmer was drafted into the Army in 1941. For his WWII service, Tech Sgt Elmer Lokkins was awarded a Distinguished Unit Badge, an Asiatic Pacific Theater Ribbon with Two Bronze Battle Stars, a Philippine Liberation Ribbon with One Bronze Battle Star, and a Good Conduct Ribbon. Read their story on *page 6*.

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Advertising in The Forward Observer not only gets the word out to our members about your business or organization, it also helps to offset printing costs and support AVERs missions. To advertise in the Forward Observer, please email editor@aver.us to receive the media kit. Please see our printing schedule on page 3 for deadlines.

FROM THE PRESIDENT'S CORNER

Dear Fellow Vets & Allies.

This has been a very busy season for the Board of Directors and for me especially. I had bilateral total knee replacements in August, and the recovery and rehabilitation has been very long! I thank each of you who sent me greetings and support.

I have appointed Vice-president Ray Allen to be the Administrative Officer, with the approval of the Board of Directors. Ray has been handling most of the day-to-day activities of our organization, and has really been the fire behind our progress!

Publishing the Forward Observer in electronic-only format has not had the desired effect for everyone, and so we will again publish it in both print and electronic form.

There are several folks who prefer to receive the newsletter by electronic means, but many have requested a hard copy mailed to them. But please note that the Forward Observer will continue to be available electronically on our web site at www.aver.us.

We are happy to welcome our newest chapter to our family: the Hawaii Chapter! It took a while to get going, but due to the concentrated efforts of its members, notably Sean Smith and Joe O'Brien, and board members Julz Carey (RVP5) and Ray Allen (VP) the chapter is now a reality.

Memberships continue to increase, and I note that the question on the application: "How did you learn about AVER?" is mostly answered by "Friends" or "Word of Mouth." This is what works the best for us, my friends. Help build our organization by your talking to your friends and strangers.

The Board of Directors meets every month via teleconference to continue the projects of AVER, the sometimes mundane but necessary activities, as well as our dealings with SLDN, HRC, and other LGBT organizations. Some of you wondered why AVER was not involved in the 12,000 flags project recently held on the National Mall in Washington, DC. Quite simply, we were not invited to participate until 2 weeks before the event. With such short notice there was no way we could activate folks willing to travel to DC (at their own expense) to help place the flags, nor did AVER have the funds to cover this. We sincerely regret that we were not able to participate in this event.

Did you know that you can make a monthly subscription to AVER via PayPal? Some of our contributors choose this way to make a continuing donation to us. It's tax-deductible, and donations accumulate into our supporter categories. Please go to our web site at www.aver.us for more information and instructions on contributing. Please consider this and be as generous as you can. Remember that AVER is composed entirely of volunteers, working in our free time, unlike our colleagues SLDN, HRC, NGLTF and most other LGBT orientated groups. Quite simply put: "We need the cash!"

I want to wish each of you a very happy holiday season. For those of you who celebrated Hanukah, and for those who celebrate Christmas and Kwanzaa, I hope, on behalf of the Board of Directors, that you can enjoy the special days to the fullest!

Faithfully,

Chief Jim Donovan



AVER is a 501(c)(3) non-profit organization of gay, lesbian, bisexual and transgender active duty, reserve and veteran service members, dedicated to the fair and equal treatment of all veterans and service members, and to honoring the sacrifices of all who served past and present. Membership in AVER is open to all who support the goals of the organization and does not suggest or imply sexual orientation of any of its members. All membership information is strictly confidential, as directed by the AVER National Constitution, within the limits of applicable laws. Officer and chapter contact information listed in the Forward Observer and on www.aver.us is collected either from chapter-controlled newsletters / web sites or by explicit permission.

FROM THE VICE PRESIDENT



I want to thank all of you for hanging in there during the last few years, AVER has always had the interest of our members first. I understand there has been some distance between 'National' and the local chapters, as well as our At-Large members, and we are developing ways to reach out to the membership to close these gaps.

2008 is shaping up to be a good year for AVER as we continue the steps to prepare our C19 for chartering. This will allow us to develop more services within our VSO. Once we are chartered, we will be able to have individual Service Officers trained and certified (CVSO) to provide official assistance with many VA processes, similar to the VFW, the American Legion, and others.

The future looks bright and we will see a lot of growth in our community. We need to reach out to our returning soldiers and remember those who have served before by creating a bridge and making our chapters more inclusive. We need to look at ways to spark new interest in our chapters. Do we need to be more social? Do we need to be more political? Do we need to set local goals to become a bigger part of our local communities? These are questions we need you to answer. If National can help you develop programs to accomplish these, let us know.

As you may know, the AVER 2009 National Convention will be held in Fort Lauderdale, FL. I have met with the convention planning committee, and they are doing an outstanding job! They have been meeting monthly and holding local fundraisers to help cover many of the related costs. With well over 50 active members, they have also formed multiple sub-committees to break up the enormous task of hosting the convention. They are role models for AVER chapters. I want to thank them for all this hard work. Once we get into the new year, you can look for more information on this convention.

On the subject of sub-committees, one of the efforts I will help implement during the coming year is the formation of several new committees. AVER is growing again, with new members every passing week. With that growth, the tasks which our national and regional officers must address are growing in responsibility as well. To lighten the load on any one person, and even more importantly: ensure that no duties fall fallow should anyone suddenly need time-off, whether for work, personal or family reasons, we would like to get more people involved and engaged in the work of AVER, in committees which can break up these tasks into reasonable workloads.

In the military, we always said a good leader becomes truly apparent when they leave their post, and their replacement is well enough groomed to hit the ground running; if a leader becomes irreplaceable, it's a sign they're not doing their job. If you've ever wanted to get more involved but weren't sure that you were ready to take on a national or regional office or simply didn't feel like you knew enough about what all it entailed, this is the perfect opportunity to help AVER in a very tangible way, while finding out whether or not the chair is an office you would like to eventually fill. I will be reporting more on these new committees as they form in coming months, but you are welcome to contact me in advance if interested.

I again want to thank all of you for all your hard work that you have done through the years, and I especially want to thank all the founders of the GLBVA, viz., Miriam Ben-Shalom, Cliff Arnesem, Jim Woodward, Ken Huntington, Kate Dyer, Chuck Schoen, and Bill Lake, as well as the core group of AVER Jim Darby, Jim Donovan and Nancy Russell and all the others who have struggled to get us this far. If it weren't for their leadership, we would not have gained nearly as much ground as we have today; these early activists deserve our respect and our sincere thank you's.

Lastly, I would like to echo Chief Donovan in welcoming AVERs newest chapter - AVER Hawaii. They are already very active, and we all look forward to wonderful things coming from AVERs first OCONUS chapter!

Ray Allen

AVER Vice President



FROM THE EDITOR'S DESK



THE FORWARD OBSERVER and the national web site are the most important channels of communication for AVER, particularly for our At-Large members. In recent years, AVER frequently delayed publication whilst waiting on promised reports, because any one issue is so costly to print. Many times, reports arrived so late that *others* were no longer timely, leaving us awaiting updates from those who *had* submitted on schedule. This was an organization-wide issue which created a Jacob's Ladder of out-of-date reports, and entirely-missed issues. We know this is not fair to our dues paying members, as *The Forward Observer* is a stated membership benefit.

In 2007, the new board decided we cannot permit such juggling. Because many of our members had indicated they were willing to save AVER the expense of the print version, we published our first ever electronic-only issue, with the intent for chapters to print copies for members who may not have computer access. The August-2007 edition was lucky to have some hefty content, but this is not the case year-round. After a few misunderstandings on how the new process was to be executed, *not* any single person's fault, we found this approach still would not adequately serve all members and have thus resumed the print version.

Likewise, we decided that during quiet months of the year when there is not a great amount of activity within the LGBT community, if need be, we will simply publish a 'thinner' issue, because we must remain in contact with all of you. Receiving the *Forward Observer* is part of your yearly membership dues. If we are going to ask you to become active and engaged to help with the realization of AVER's missions and goals, we must do everything possible to hold up 'our end' of things.

If you would like to receive the *Forward Observer* in electronic-only format, so that AVER can use that portion of your membership dues toward supporting our missions and goals, please let us know. We will send an email each quarter when the new issue of the *Forward Observer* is available on the national web site for download. Donations are of course always welcome. One of our longterm goals is to field enough ad sponsorships from relevant businesses and organizations, that the *Forward Observer* becomes self-sufficient, leaving that entire portion of yearly dues available for AVER's missions instead of being gobbled by printing costs.

To accommodate the flurry of Summer Pride events and Veterans Day activities worthy of report, plus many travel absences during the Winter holiday season, the AVER national board has decided to move the publication schedule of the *Forward Observer* to dates which better accommodate timely reporting. The new schedule will take effect in 2008 and is as follows:

Publication date - Deadline for submitting reports, letters, photos and/or ad copy.

January 30th	- January 15th	Please note: any reports, letters, photos, or ad copy received after the submission deadline will be held for inclusion in the following issue. Photo prints become property of AVER, copyright retained by photographer/owner. Letters to the editor will be addressed by the Forward Observer Committee as appropriate; publication of such is based on relevance and available space, and is not guaranteed. The <i>Forward Observer</i> will ship for printing and mailing on the "Publication date." Expect to receive it within 10 days afterward.
April 30th	- April 15th	
August 30th	- August 15th	
November 30th	- November 15th	

If you do not see a report from your chapter in any given issue yet know there was some activity worthy of report during the previous quarter, please don't hesitate to contact your chapter officers. We honestly look forward to the day when we have so many chapters and so much activity, that we have to 'pull our hair' deciding which events get to grab the available space 'this quarter.' At-Large members are always welcome to submit reports to Chief Donovan, chair of the LT Tom Dooley At-Large Chapter, any time they may attend or participate in an event as a representative of AVER.

Between printed issues, we will continue to post news and press releases on the AVER national web site, so that those with Internet access at home, work, the public library or elsewhere can read these posts in a timely fashion. The web site overhaul continues behind the scenes. Once 'live,' it will be much easier for all of our officers to post updated news 'as it happens.' We will also have more interactive features for members. We hope to have the new web site 'live' by early 2008.

Marie Ann Bobusch

Editor-in-Chief, *The Forward Observer*





*News from the VA
Office of Public Affairs:*

VA Clarifies Policy on Flag-Folding Recitations

“13-Fold” Ceremony, Other Scripts Approved

WASHINGTON (30 October 2007) – To ensure burial services at the 125 national cemeteries operated by the Department of Veterans Affairs (VA) reflect the wishes of veterans and their families, VA officials have clarified the Department’s policy about recitations made while the U.S. flag is folded at the gravesite of a veteran.

“Honoring the burial wishes of veterans is one of the highest commitments for the men and women of VA,” said William F. Tuerk, VA’s Under Secretary for Memorial Affairs. “A family may request the recitation of words to accompany the meaningful presentation of the American flag as we honor the dedication and sacrifice of their loved ones.”

Traditional gravesite military funeral honors include the silent folding and presentation of an American flag, a 21-gun rifle salute, and the playing of “Taps.”

The clarification includes the following:

- Volunteer honor guards are authorized to read the so-called “13-fold” flag recitation or any comparable script;
- Survivors of the deceased need to provide material and request it be read by the volunteer honor guards; and
- Volunteer honor guards will accept requests for recitations that reflect any or no

religious traditions, on an equal basis.

Veterans with a discharge other than dishonorable, their spouses and eligible dependent children can be buried in a national cemetery. Other burial benefits available for all eligible veterans, regardless of whether they are buried in a national cemetery or a private cemetery, include a burial flag, a Presidential Memorial Certificate and a government headstone or marker.



Modernizing the Disability & Com- pensation Systems

WASHINGTON (08 November 2007) – On November 9, the Department of Veterans Affairs intends to solicit outside bids to be able to award one contract to conduct two important technical studies that will assist decisions to be made regarding the updating of our military disability system. The studies are part of the recommendations of the President’s Commission on Care for America’s Returning Wounded Warriors, co-chaired by former Sen. Bob Dole and former Health and Human Services Secretary Donna Shalala.

Study of Compensation Payments for Service Connected Disabilities

The Department of Veterans Affairs is commencing a study regarding creation of a schedule for rating disabilities based upon current concepts of medicine and disability, taking into account loss of quality of life and loss of earnings resulting from specific injuries or combination of injuries.

The study will examine:

- The nature of injuries and combination of injuries for which disability compensation is payable under various disability programs of the Federal and State governments and other countries;
- The extent to which quality of life and loss of earnings are independently taken into account in various disability programs of the Federal and State gov-

ernments and other countries;

- The effect of an injury or combination of injuries on a veteran’s loss of earnings, such as inability to work in certain occupations, and on a veteran’s quality of life, such as activities of independent living, recreational and community activities, and personal relationships, including the inability to participate in favorite activities, social problems related to disfigurement or cognitive difficulties, and the need to spend increased amounts of time performing activities of daily living; and
- Measurement of the effect of an injury or combination of injuries on a veteran’s psychological state, loss of physical integrity, and social inadaptability.

The study will make recommendations concerning the following:

- The appropriate injuries or combination of injuries to include in the schedule;
- The appropriate level of compensation for loss of quality of life;
- The appropriate standard or standards for determining whether an injury or combination of injuries has caused a loss in a veteran’s quality of life;
- The appropriate level of compensation for loss of earnings; and
- The appropriate standard or standards for determining whether an injury or combination of injuries has caused a veteran loss of earnings.

Study of Transition Payments

The Department of Veterans Affairs is also commencing a study to determine the appropriate level and duration of transition payments that should be paid to all eligible veterans who are participating in a rehabilitation program.

Full details about the competitive solicitation for the studies will be available on www.fedbizopps.gov.



Department of Veterans Affairs press releases can be read on the internet at: www.va.gov/opa/pressrel



Remembering Transgender Veterans

The Forgotten Veterans

by Monica F. Helms

Veterans Day is one the three most important days in this country when it comes to patriotism and pride. At the eleventh minute, of the eleventh hour, of the eleventh day, of the eleventh month, we start the day honoring all the veterans who have served this country, both in peace and in war. Today, we have 26 million military veterans in America, but sadly, we lose 1500 WWII each day and a similar number of Korean War veterans as well. Soon, the Vietnam War veterans will pass away in similar numbers.

The men and women who fought in those wars over the last 230-plus years came from every diverse background this country has ever known. People from every race, religion, ethnicity, economic status, social status and sexual orientation have fought, been wounded or died for this country. A current example of sexual orientation is the first person wounded in the current war in Iraq. Eric Alva lost a leg in the very early days of the war and then came out as being gay after his discharge.

Amongst the wide diversity of people who have served this country, Transgender Americans have been an important part of the military since the Revolutionary War. The word “transgender” has come to mean “Anyone who crosses the gender lines, regardless of whether it is temporary or permanent.” Dictionary.com has the definition as, “Noun: A person appearing or attempting to be a member of the opposite sex, as a transsexual

or habitual cross-dresser,” and, “Adjective: Being, pertaining to, or characteristic of a transgender or transgenders: the transgender movement.”

We have found that in the early part of American history, women could easily fight as men because they didn’t have to go through a physical exam before enlisting. That changed during the Spanish American War. Some of the women who did fight in those early wars indeed returned to a life as a woman, but many did not.

In the early and middle parts of the 20th Century, we found that most of the transgender veterans who served at that time started life as boys, but became women in the years after the wars had ended. Others crossdressed throughout their lives and even did so while serving in the military. In the middle 20th Century and early 21st Century, women began serving more frequently and even in combat roles where they could not previously serve. We started seeing more women who later became men after those wars were over.

One of the notable examples of a woman who fought as a man was Deborah Sampson, a tall woman for her day, served in the Revolutionary War as Robert Shurtliff and even became wounded. Another person was Lucy Brewer, who started her early adult life as a prostitute, but served as a Marine on board of the USS Constitution in the War of 1812. After the War, she appeared as a man several times. Around 400 women served as men in the Civil War, for both sides. Some continued their lives as men after the war.

One of the most interesting stories is that of Cathy Williams, a slave who changed her name to William Cathey and served two years as a Buffalo Soldier before she told a doctor she was a woman. She did as well as her male counterparts, surviving the harsh conditions of the desert Southwest.

As the understanding of transgenderism improved, stories of thousands of transgender people who served this country in the military surfaced. The famous writ-

er, B-movie producer and crossdresser, Ed Wood, fought in the Battle of Guadalcanal. The first known transsexual, Christine Jorgensen, spent eleven months in the Army and when she came back from Denmark after her surgery in 1952, the headlines in the paper read, “GI becomes Blonde Bombshell.” The headlines knocked the explosion of the first hydrogen bomb off the front page. Later, Eisenhower even invited her to the White House.

We know of many transgender people who have fought in every late 20th Century and 21st Century wars we have been in. I have a friend, Jane Fee, who served during WWII. I served during the Vietnam War, in the Navy, on two submarines. We know of another transgender person who headed a special anti-terrorist unit for the Army and even reported to the Vice President.

Transgender people have been in every war, served in every branch of the service, have achieved every rank and have been awarded every medal this country has, including the Congressional Medal of Honor. We have done every job the military has, served in every base, port, ship, drove every vehicle, operated every weapon, flown every aircraft and served in every hospital the American military has. We have done our part to preserve the freedom of everyone in this country. If you ask us, we will tell you that we are veterans first, who just happen to be transgender people. And, we are proud to have served this great country.



This story originally featured at: www.thegaymilitarytimes.com Nov.2007. Reprinted with permission.

20 November 2007 was the 9th Annual Transgender Day of Remembrance, created to memorialize those who have been killed due to anti-transgender hatred or prejudice.

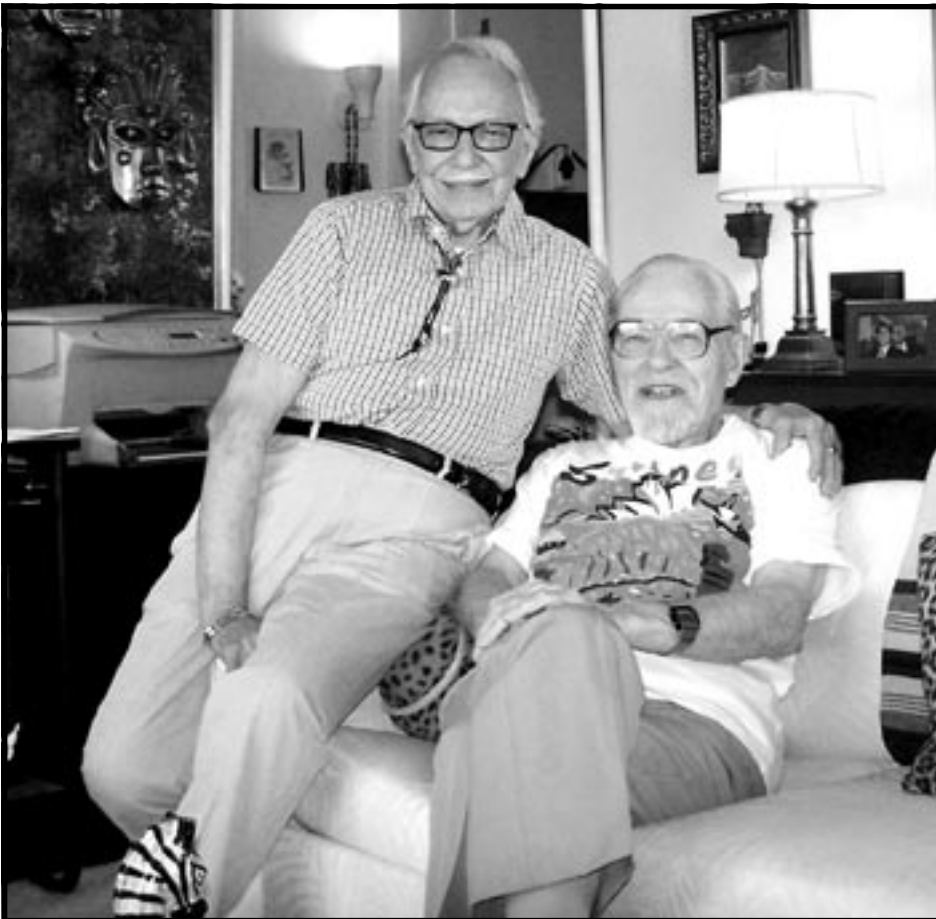


photo by Denny Meyer, AVER PAO

Elmer & Gus: Since 1945

by Denny Meyer

Elmer Lokkins and Gus Archilla have been lovers for sixty-two years! Shortly after the close of World War II when Elmer was discharged from the United States Army and made his way to New York City, they made eye contact in bustling midtown Manhattan in 1945 and have been together ever since.

When I went uptown to interview them in their home about Elmer's WWII service in the Pacific, I thought I'd spend an hour or so gently pulling a few forgotten memories from the foggy past of a man in his late 80s. Well, both of these sweet and gentle men remember every single detail of every moment of their incredible lives together, and congenially told me as much as possible in a few short hours.

I could have happily spent a week listening and writing. Fortunately, a filmmaker is spending several years recording as much as possible for LGBT history; and much has already been written about their enduring triumph of love.

This brief story is about Elmer's courageous service as a young man in WWII, mostly. But, it cannot be told without some bits about how it all came to be; after all everything is connected, one thing leads to another, and the kiss of true love that spans more than half a century does not just happen all by itself. Elmer's war service led to his realization that he was gay and that New York City was the place to be, which led to him meeting Gus, and the story goes on and on from there. Whew.

Both Elmer and Gus had unimaginably difficult childhoods. Due to family financial hardships, Elmer spent most of his youth growing up amongst

800 youngsters in an orphanage near Chicago. Gustavo's parents both tragically died in quick succession when he was still a young teenager. As the eldest of nine children, he went to work to rear his siblings on his own, keeping them together as a family in New York City throughout the war years. It seems a blessing that these two men were fated to meet and form such a lifelong stable bond with each other.

That was the first hour of the interview that brought me near tears and filled with awe. The way they describe events, one lives every moment oneself, tasting a meal Gus served to his siblings, and sensing the sensuality as Elmer made the best of situations that would send others into despair.

At the age of 21, Elmer was drafted into the Army in 1941. After the war began, he traveled on the troop ship SS Mt. Vernon to Sydney and by rail to Rockhampton in Queensland, Australia, where he served as a clerk in the Adjutant General's Office at HQ I Corps. After operations began in New Guinea, they moved to Goodenough Island, and



Australia 1943.



Rockhampton Australia 1943.

onward to a jungle base in Hollandia.

Eager to be a part of an invasion force, rather than typing endless reports, Elmer volunteered for a landing in the Philippines. On January 9th, 1945, a D-day, he was aboard a forward echelon LST, under heavy Japanese shelling, landing on Lingayen Gulf. Surrounding vessels were sunk with all aboard. At the side of General Swift, they dug a trench on the beach using their helmets. Surviving that, they moved onward to Dagupan, where they established a forward HQ camp that was under constant mortar shelling and gunfire day and night, from Japanese firing from the sugar cane fields.

For his WWII service, advancing with HQ I Corps through the South Pacific islands, Tech Sgt Elmer Lokkins was awarded a Distinguished Unit Badge, an Asiatic Pacific Theater Ribbon with Two Bronze Battle Stars, a Philippine Liberation Ribbon with One Bronze Battle Star, and a Good Conduct Ribbon.

With a razor sharp memory of every moment of his war service over 60 years ago, Elmer described the daily details of his soldier's life, from sleeping in a hammock over the edge of a river to the lifelong friends he made in Australia.

In March of 1945, he began the long journey home from the Philippines on a victory ship that sailed for 40 days and nights to Seattle. During this time, President Roosevelt died at Warm Springs, GA, and the UN met for the first time in San Francisco.

After traveling by train around the country to visit relatives while on furlough, he wanted to return to his unit. But he was given a choice of heading up a unit bound for the ongoing warfare in China or discharge. He'd actually begun studying Chinese, but ultimately decided to fulfill his dream of attending college and living in New York City. And so fate turned a page which led to the rest of his life. He was honorably discharged in the summer of 1945.

What happened next is a classic New York City story. On Sunday, 16 September 1945, Gustavo Archilla was headed home from a music lesson at Carnegie Hall (honest, I'm not making this up) and the two strangers' eyes met at Columbus Circle where Elmer was watching soapbox speakers at the southwest corner of Central Park. (Interestingly, that was the day that the Japanese Garrison in Hong Kong surrendered to the Allied forces in China - where Elmer would have been had he taken the other fork in the road). Elmer was 26 and Gus was 29; they have been together ever since. On their first date, they went to see a radio show. Elmer ended up studying foreign trade and personnel management at City College (the City College Business School later became Baruch College of the City University of New York).

Gus introduced Elmer to his siblings, and he was invited to move into the Archilla family apartment; his army stipend helped with the rent, and he became a part of Gus' family. Over time,



New York 2007. photo by Denny Meyer



New Guinea -December 1944

the two men's families melded. Times changed over the course of the next 58 years that they spent together. In 2003 they got married in Niagara Falls, Canada; and only then was their relationship openly spoken about by their relatives. At that time 19 Buffalo relatives gathered to celebrate their marriage. Their documentary film is being edited and should be shown on TV or in theaters later this year.



Denny Meyer is the AVER PAO and editor of www.TheGayMilitaryTimes.com This story originally featured at that site in July 2007. Reprinted with permission. All military photos of Elmer Lokkins courtesy of Elmer Lokkins.



photo courtesy of Danny Ingram

A Soldier Speaks: Danny Ingram AVER Region II Vice President

by Denny Meyer

Danny Ingram bears the dubious distinction of being one of the first Americans discharged under the Don't Ask Don't Tell law. It's a bit of a story.

Danny grew up on his grandfather's multi-generational farm in rural Georgia. His grandfather had served in the US Navy, in the Pacific, during WWII. His great uncle served in the Army Air

Corps in WWII and Korea, starting as a mechanic and retiring as a Lt. Colonel. The family was deeply religious; dancing, movies, card playing, alcohol and nearly everything else was forbidden. Faith and resilient self-reliance, as taught by his grandmother, were the guiding influences of his youth. It was only after he left that environment and isolation that he realized he was gay, while attending Emory University in Atlanta.

Danny is a decisive sort of person who has made a career of meaningful life-changing decisions. Some of those at first sounded rather wild and reckless; but each was a matter of being true

to himself. One of the first was to drop the idea of entering a seminary and becoming a clergyman. Another early choice was to join the Army Reserve, in 1988.

"What were you thinking, joining the military knowing that you are gay?" I asked him. He told me, "I wanted to do something for my country, I wanted to feel I was doing something good; and it would be an adventure. It made me mad when people told me I couldn't do that (because I was gay); I wanted to do it!" (Those words set off an echo in my head as those were my own exact thoughts 20 years earlier. One might wonder if there is something about young gay men making the same choices despite one being a rural southern Christian and the other an urban northeastern Jew; but I realized, its not about being gay, what we have in common is being American).

In his six years of service, Danny Ingram was an Admin. Specialist, Materials and Supply Handling Specialist, and Warehouse Operator. His work involved direct supply and support to the front lines, delivering food, fuel, and body bags among other items. Among the decorations he earned were sharpshooter badges for rifle and grenade launcher and a marksman badge for M60 machine gun, an Army Reserve Components Achievement Medal, and an Army Achievement Medal with Oak Leaf Cluster.

Danny would likely have gone on for twenty years of selfless service; but complacency is not one of his attributes. When the first President Clinton promised, during his campaign, to lift the ban on gays in the military, Danny believed the promise. He did not want people to think that gays had not been serving all along. It was not in his nature to wait and see what happened; he decided to speak out then and there. As Leonard Matlovitch had done 20 years earlier, he

wrote a letter to his commanding officer saying that being able to be open would enhance the service of gay people who have always served their nation. He did not say that he was gay. But when the questioning began, he was in fact asked. This was before the "Don't Ask" provision and the rest of the "Don't Ask Don't Tell" policy was actually put into law. He answered forthrightly, in writing, that he was gay. Oy vey.

That courageous honesty resulted in a hearing that was remarkable in the respect of the convening officers and NCOs for his truthfulness and integrity. The First Sgt at the hearing was black and the Unit Commander was Latino. The commander told him, "My grandfather had to get his ass kicked so that I could be in the US Army; the First Sgt.'s grandfather got his ass kicked so that he could serve; now, Ingram, you will get your ass kicked so your people can serve." It was bluntly and rather crudely put, but incredibly respectful of who he was considering the circumstance.

A final decision was put on hold for over six months, while everyone awaited word from the newly elected president. During this time, he was at first put on alternative duty away from his unit; but when he and his commander came to realize that none of his peers had any problem nor discomfort with him working among them, he resumed his normal duties. When all discharges due to homosexuality were suspended while the issue was in turmoil inside the beltway in DC, his commander said, "Ingram, you may get what you want."

At the hearing, several other officers had also expressed that they saw no reason why a gay person, and Sgt. Ingram in particular, should not be allowed to serve with them. But, the prosecutor made it clear that, according to regulations, homosexuality was incompatible with military service. In 1948 President Truman had integrated Black Ameri-

cans into our armed forces by executive order, setting the stage for the civil rights and prohibitions of discrimination that followed in the next 20 years. Some of the respect Danny Ingram received from his hearing panel seemingly was because it was fully expected that President Clinton would follow suit and begin the liberation of Gay Americans by executive order to the military.

Instead, a so-called compromise was enacted by Congress that prohibited gay service members from speaking about who they were, and from engaging in homosexuality, while being allowed to serve in silence. Although Danny admitted to being gay before this policy was enacted, he was nevertheless among the first to be discharged under the new policy, honorably, due to homosexuality.

Danny is some kind of hero. While he was under investigation, he spoke out at a rally, for lifting the ban on gays, in front of the Pentagon. He wrote letters, to President Clinton, Chairman of The Joint Chiefs of Staff Colin Powell, Senators and Congressmen. All answered, some with remarkable support, in retrospect.

Since leaving the Army, Danny has devoted his energy to gay and environmental activism, while earning his living as a university IT systems analyst. He has founded an LGBT employees group and has worked to develop non-discrimination policies and to obtain domestic partner and other EEO benefits. He has served on a university LGBT task force and commission to further understanding and recognition of basic rights. He has won a university award and recognition for his advocacy.

Danny began his activist efforts even before his departure from the Army, co-sponsoring one of the first World AIDS Day Names Project AIDS Memorial Quilt displays in his area. He has led and volunteered in local environmental efforts that have been awarded for community green advocacy programs.

He has been the coordinator of his parish AIDS Outreach Ministries and served for years a volunteer at a local hospital's AIDS/HIV ward. He has sponsored several children in Latin America via the Christian Children's Fund. And he is a liturgical cantor and a member of the National Association of Pastoral Musicians. Where does he find the time for all this! But, there's more.

In local politics, he was a founding member of a state LGBT Caucus, and has been a driving force at the county level, as well, where he successfully passed a resolution requesting Congresswoman Cynthia McKinney to support the Military Readiness Enhancement Act which resulted in her becoming a co-sponsor of the bill that would repeal the Don't Ask Don't Tell policy and prohibit discrimination against sexual minorities in the military.

As a gay veteran, Danny co-founded and serves as the coordinator of the Atlanta Pride Military Color and Honor Guard. He is the president of American Veterans For Equal Rights Georgia Chapter, and the Region 1 (Southern) Vice President--coordinating AVER chapters in the southern US.

Oh, and in his spare time (?), Danny played in the LGBT Hotlanta Softball League for 6 years and served as a league official for 4 years, including one term as league commissioner. He wrote a weekly sports column for a LGBT publication called Etcetera Magazine for 10 years.

Just imagine what he could do if he had any ambition! Rather, he devotes all his time to furthering rights, helping others, and preserving nature in the world around him.



Denny Meyer is the AVER PAO and editor of www.TheGayMilitaryTimes.com. This story originally featured at that site in Dec.2007. Reprinted with permission.

(see letter on page 10)

In his own words, Danny Ingram described the thinking that led to his actions and letters:

After meeting Margaret Cammermeyer and Joseph Steffan and reading their stories, I was so inspired by their courage and commitment that I couldn't keep silent on the issue any longer. I didn't feel like I could remain safe and protected while others faced great sacrifice to fight my battle for me. And I wanted my fellow soldiers to know that this was an issue for every unit in the military. It wasn't just a few high-profile cases. It was an issue that affected everyone at every level, and everyone should be concerned about it. So when candidate Bill Clinton announced that he would lift the ban I decided it was time for me to do something. It was time for me to add fuel to the fire, to speak up so that everyone could see how many LGBT people there were in the military and why this policy was so offensive to our beliefs as soldiers about what we were sworn to defend. In the six years that I served in the United States Army, writing that letter to General Roth probably came closest to my fulfilling my oath to defend the US Constitution than any other duty I performed in uniform.



photo courtesy of Danny Ingram

October 1, 1993

MG JOHN C. ROTH, USAR
Commanding Officer
81st United States Army Reserve Command
East Point, Georgia 30344

Dear General Roth,

I regret to inform you that due to Department of Defense Directive 1332.14, which denies gay and lesbian persons the right to serve in the armed forces of the United States, I can no longer be considered compatible with military service. While it has been my honor to serve in the U.S. Army for the past four years, I can no longer with clear conscience continue to serve as a gay soldier in an organization which discriminates on the basis of sexual orientation.

During my period of service to the Army I have always strived to maintain a high level of military professionalism. As a professional soldier I have never thought of my fellow soldiers as anything other than soldiers. I have never approached any of my fellow soldiers, neither male nor female, in a sexual manner, nor have I ever engaged in any sexual activity while I have been on duty or stationed on a military post. Such activity, regardless of sexual orientation, would be "inconsistent with maintaining good order and discipline" as stated by General Powell.

It is my belief that this unjust policy of discrimination on the basis of sexual orientation will soon end. But I cannot accept what will undoubtedly be the military's perception that gay and lesbian persons have not served with honor and distinction during the period when the policy has been in effect. It is particularly painful for me to think of the many names of gay young men on the Vietnam War Memorial in Washington and know that the military does not even acknowledge the supreme sacrifice of the gay veterans who have given their lives in the defense of freedom.

I wish continued success to the United States Army. I look forward to the day when our military is not only the guardian of the Constitution but the representatives of the freedom it insures for all Americans. My thoughts will continue to be with my fellow soldiers as they defend our nation at home and abroad.

Sincerely,

Danny Ingram
SGT, 81st United States Army Command

cc Senator Sam Nunn

News from AVER's National Committees

Vice President Veterans Affairs

AVER Veterans Affairs continues to receive an ongoing stream of inquiries from veterans and active duty personnel seeking advice. There has been a recent increase in contacts from active duty officers and enlisted personnel who either fear that they are about to be outed or those simply seeking communication with other understanding LGBT former service members with whom they can share their loneliness and aspirations and receive encouragement. There appears to be a need for a "peer communications program" in which individual active duty personnel can have ongoing contact with an understanding LGBT vet from their home region.

There continues to be a steady stream of inquires for help from older (Vietnam and earlier eras) LGBT vets who are having difficulty receiving appropriate care from VA Medical Centers. More and more, these vets are suffering from untreated long term Post Traumatic Stress Disorder (PTSD) and related problems, have trouble communicating effectively, and are suffering from mistreatment based on discriminatory decisions regarding their disability claims.

Additionally, AVER Veterans Affairs monitors reports on the treatment of transgender veterans whose treatment varies, at VAMCs around the US, from outright discrimination and denial of service to matter-of-fact respectful treatment of needs.

Denny Meyer
VP - Veterans Affairs
vetsaffairs@aver.us
718-849-5665

Public Affairs Officer

AVER Public Affairs develops, coordinates, and represents AVER's views and public policy to Congress, the media, and inter-organizational coalitions regarding advocacy for the repeal of DADT as well as LGBT rights initiatives in general.

In the past few months AVER Public Affairs has responded to inquiries from CNN, CBS, ABC news and other media regarding remarks by outgoing General Pace about the morality of military personnel, and disseminated AVER's response to developments in Congress regarding the Employment Non Discrimination Act (ENDA), among other issues. The AVER PAO along with AVER's President, on an ongoing basis, participates in a monthly inter-organizational teleconference of DADT repeal movement leaders and spokespersons (including HRC, SLDN, USNAout, among others) to coordinate a unified message to the media and congress on issues that concern us.

In coordination with The Gay Military Times (www.thegaymilitarytimes.com) we report on and publicize city DADT repeal resolutions, the most recent of which was in Tucson AZ.

Denny Meyer
Public Affairs Officer
publicaffairs@aver.us

Chair - IT & Web Development

I am still looking for more volunteers to help out with the AVER national web site. The site has become too large for one person to handle alone. With the various features that are being installed for the new version of our site, we will need help with both administrative tasks on the main site and with maintenance and modifications of the AVERBB.

We apologize that the new version

of the web site is taking longer to launch than originally envisioned. This extra time is permitting us to make the web site much more functional and secure.

The AVER website employs a number of Open Source General Public Licensed web applications. These are no-cost applications which save AVER a great deal of money compared to similar commercially licensed applications. They are often built by large groups of programmers with regular "day jobs" outside of their voluntary programming, and so we upgrade at their speed.

We understand some of our members are still currently in service. Many more of our members cannot be completely "Out" in their daily lives for various reasons. Making sure that the members-only sections of the AVER national web site are as secure as possible is our #1 web priority at all times.

In 2006, James Apedaile and myself created AVERBB accounts for all AVER members who had included an email address on their membership applications. With the official release of phpBB3.Gold, the AVERBB will be getting yet another makeover.

If you have never included your email address on your membership application and would like to join the AVERBB, please send your name, postal address and email address to Chief Donovan at president@aver.us. To prevent confusion, **do not** set up multiple accounts. The AVERBB is only for dues-current AVER members.

If you are familiar with web development or systems administration and have time to volunteer to the AVER National web site, please contact me. On the back side, we are looking for folks familiar with UNIX flavors, Apache, MySQL, and PHP. Please include a brief synopsis of your experience.

Marie Ann Bohusch
Chair - IT & Web Development
webtech@aver.us

Chapter Reports

Region I



AVER New York began Autumn 07 with annual elections. VP David Krause brings us his years of organizing experience starting with his work with Gay Activist Alliance (GAA) in the 1970s. As a VA volunteer, David may make it possible for AVERNY to at long last have 'veterans association office space' at a New York City Veterans Hospital so that we may fulfill our long term plan of outreach to isolated senior LGBT vets as well as vets returning from the current conflicts in the Middle-East.

AVER-NY has begun a local-region 'Sister City' project working with Hudson Pride in neighboring Jersey City, NJ and other LGBT centers in counties north of NYC with the goal of eventually establishing new AVER chapters and members in those areas. An ongoing series of presentations at those centers enable us to meet new and older LGBT vets living outside the urban metropolitan area. Both Hudson Pride and The Loft in Westchester county plan to send groups of LGBT vets to join AVER-NY in the NYC Veterans Day Parade in which we have a block long contingent of our vets and the colorfully uniformed Lesbian and Gay Big Apple Corps Marching Band (with rainbow color guard).



AVERNY at 2007 NYC Veterans Day Parade. Photo courtesy of Denny Meyer.

AVER-NY has been working with graduate students at universities locally and regionally (Columbia, Fordham, Hofstra, and Harvard) conducting conferences, consultations, and seminars to increase understanding, knowledge, and support on the repeal of DADT; as well as on the effect on health-care of VA discrimination against LGBT vets suffering from long term Post Traumatic Stress Disorder. There are LGBT Vietnam Era (and earlier) vets who have never been treated for combat trauma PTSD due both to fear of and actual discrimination at VAMCs.

Denny Meyer
Pres. AVER-NY
averny@att.net



NEO AVER members continue to be very active with other LGBT organizations in the area, networking and keeping the LGBT veteran image visible in the community.

This Autumn brought our first meeting with the veteran members of TransFamily of Cleveland. TFC is a social support and networking group for gender variant individuals, their friends and family. A significant number of members are veterans.

A wonderful dinner was hosted by a NEO AVER member for the occasion, and many of the attendees expressed how much they enjoyed having a space where they could specifically address issues relevant to veterans, such as dealing with the VA, which might not hold relevance for the larger body of TransFamily. We look forward to similar events in 2008.

Marie Ann Bohusch
Pres. NEO AVER
qcws@neoaver.org

Region II



On 11 August, Al Wakefield and Marshall Belmaine hosted a pool party and barbecue for the chapter at their beautiful home. Everyone who attended enjoyed the sun, water, and good food which were donated by our membership and the owners of Rosie's café.

On 18 August, members of the Florida Gold Coast Chapter participated in the Poverello Center's 17th Annual Bowl-A-Thon. Poverello Center provides food and basic living essentials to individuals living with HIV/AIDS. Our bowling team helped raise \$200 for the organization and plans to make this an annual event.

Also in August, AVER Florida Gold Coast Chapter Pres. Mark LaFontaine, VP Dick Rogers and Board Member Bill Mullins attended a Veterans Healthcare Roundtable with 50 other veterans representing various groups. The event was held at the Oakland Park VA Outpatient Clinic. Speakers included U.S. Representatives Ron Klein (D-FL), Debbie Wasserman Schultz (D-FL) and former Secretary of Health and Human Services Donna Shalala.

The AVER Florida Gold Coast Chapter was privileged to have Carol Benowitz, former Southeastern Director for PFLAG and current member of the PFLAG Nation Board of Directors, as a guest speaker for our general membership meeting on 11 September 2007.

On 06 October, the Dolphin Democrats celebrated their 25th anniversary with a gala, and members of the Florida Gold Coast Chapter provided the color guard to the opening of the celebration.

Mark LaFontaine
Pres. AVER-Florida Gold Coast
mjl@aver-fgc.us



17th Annual Bowl-A-Thon [L-R]: Dil Hatchett, Augie Gerwitz, Mark LaFontaine, Dan Murphy, Jodi Mortimer, Jack Zimmerman & John Muller. Photo courtesy of Mark LaFontaine.



Veterans Healthcare Roundtable. [L-R]: Representative Ron Klein (D-FL), Debbie Wasserman Schultz (D-FL) & former Secretary of Health and Human Services Donna Shalala. Photo courtesy of Mark LaFontaine.



[L-R] PFLAG-SE Director Carol Benowitz and AVER-FGC Vice President Dick Rogers. Photo courtesy of Mark LaFontaine.



Mark LaFontaine, Bill Mullins, Dick Rogers, Jack Zimmerman, Jean Johnson, Ken Morris & Leanna Bradley. Photo courtesy of Mark LaFontaine.



AMERICAN VETERANS FOR EQUAL RIGHTS

Georgia Chapter

"My Duty, My Honor, My Right"

The Georgia Chapter more than doubled its 2007 membership, with 25 dedicated members signed up for 2008. AVER Georgia concluded an aggressive recruiting season with a successful presence in Atlanta's 2007 Veterans Day Parade that had not been without controversy.

AVER had initially been denied participation in the parade for "failure to follow instructions from the previous year" which included "open display of affection". Following some serious negotiations parade officials admitted they may have made a mistake and agreed to allow AVER to participate.

The AVER color guard which includes gay, lesbian, bisexual, and transgender vets marched without incident in the parade. One member of a group of kilted pipers who harassed



AVER Georgia color guard march in the 2007 Veteran's Day parade in Atlanta. Photo courtesy of Danny Ingram.

us the previous year made the point of coming over to thank us for our participation. When we passed the review stand and executed our salute, grand marshal Lt. General Russell Honore of Ft. Gillem was the first to stand and return our salute. The rest of the contingent immediately followed the General's example.

Atlanta City Council Member Anne Fauver rode in one of AVER's VIP vehicles during the parade in case there was any parade day problems from parade marshalls. Council Member Fauver is an honorary member of AVER Georgia due to her successful leadership in passing Atlanta's resolution calling for an end to "Don't Ask, Don't Tell". AVER's contingent included veterans from WW2, Korea, Vietnam, Desert Storm, and Iraq.

Overall I was very pleased with our participation in the parade this year. We were treated with due respect and one parade official approached me to say 'thank you for your service'.

Danny Ingram
 Pres. AVER Georgia
 president@avergeorgia.org



Korean War veteran Ed Scruggs of AVER Georgia prepares to ride in AVER's VIP jeep in Atlanta's 2007 Veterans Day Parade. Photo courtesy of Danny Ingram.

Region III



Chicago Chapter of AVER elected officers for 2007-2008 during the September meeting. President: Jim Darby, VP/Treasurer: Travis, and VP/Secretary: Ed Wosylus.

At the October meeting, Mr. John Spears from the Illinois Dept of Veterans Care was the Guest Speaker.

On 02 November, Equality Illinois hosted the First Fridays at Sidetrack's Glass Bar. AVER was the featured organization, and members are given time to promote the organization.

Members of AVER participated in the Mayor's Annual Veterans Day Ceremony at the Cultural Center on 06 November.

The City of Chicago hosted the Annual Veterans Day Ceremony at Soldier Field on 10 November. AVER was in attendance, including SSGT Eric Alva, from San Antonio, TX, who was the guest speaker at Sunday's 15th Annual Veterans Day Dinner. Also on 10 November, members of AVER traveled to Steger, IL to hold its 14th Annual Remembrance Day Ceremony for Allen Schindler, local Navy Radioman murdered by his shipmates in 1992 for being gay.

On 11 November, AVER Chicago Chapter held its 15th Annual Veterans Day Dinner at the Center on Halsted. Guest speakers included SSGT Eric Alva, the first American service member seriously wounded in Iraq, Rochelle Crump, former Chairman of the Mayor's Advisory Council on Veterans Affairs, and former Asst. Director of Veterans Affairs for the State of Illinois.

James Darby
Pres. AVER Chicago
jamesdarby@aol.com

Region IV

AVER Houston

The Houston chapter was active in promoting AVER visibility and garnering members from the Houston-Galveston Area. In October AVER participated in a fund raiser for Assist Hers. Assist Hers is a non-profit organization dedicated to helping women who are ill and need help with daily living. Through this participation, we generated a list of potential members who we are currently working with to get on board with the AVER mission.

On 27 October 2007, AVER participated in the first ever Gay Pride Festival in Galveston, Texas. Through this event we obtained 5 new members, 3 in Galveston, 1 in Houston, and 1 in Louisiana. Ron Clarke, AVERs RVP4, is working with our new member in Louisiana in hopes of founding a new AVER chapter there.

Currently the Houston Chapter is working with local organizations to identify opportunities to continue the visibility and membership mission. Also, we are also looking for opportunities to help out our local veteran community.

Barbara Howard
Pres. AVER Houston
barb73165@sbcglobal.net

Region V

AVER Palm Springs

In September, some of our members had a nice trip to San Diego to see the USS Midway Naval Aviation Museum with a stop at the Riverside Veterans Cemetery.

We sent out over 20 letters to remind our chapter members that it was time to renew their memberships, with the reminder that the chapter portion of dues goes to help finance our November Pride event.

We continue to have our monthly barbecues, with moderate attendance. We are happy to see the Forward Observer is going back into print, as several of our members do not have home computers.

Mel Tips
Pres. AVER Palm Springs
miltips@aol.com



Sacramento Valley Veterans has been holding monthly dinners and created more of a Veterans social environment. We are looking into ways of creating more interest and appealing to the younger Veteran crowd. In October the Sacramento PFLAG chapter held there annual Service of Remembrance, Ray Allen made a presence by participating on behalf of AVER to carry a sign containing names of the victims of hate crimes. Ray was also available to network afterwards and made some good contacts. One being a Russian Orthodox Priest, and through this contact has been invited to speak at the South Bay chapter of PFLAG with hopes to spark an interest in developing a chapter in that area.

Ray Allen
Pres. Sacramento Valley Veterans
raymond_allen@sacvalleyveterans.org

San Diego AVER

AVER Reaches Out

During the 2007 Santa Ana wind / wild-fire season, the San Diego LGBT Community center coordinated with other local and national organizations within the county. The Center accepted canned goods, hygiene products, cots, sleeping bags, and water. They also put out a call for pet food. The

Center coordinated with volunteers from every LGBT community organization, including the San Diego chapter of AVER, to provide relief or assistance as needed within the LGBT community.

Because the San Diego Police Force were out on priority fire calls, our own City Council representative asked the San Diego AVER "Stonewall Citizens Patrol" to help them patrol the streets. There were a few of us out patrolling the neighborhoods, with the remaining at Qualcomm Stadium. The great news was that San Diego organizations overwhelmed the relief agencies with *too many* volunteers and some were actually turned away. It was very heartening to see such an amazing outpouring of help from right inside our own community.

On a more celebratory note, this Autumn, we had a terrific turn out for our yearly Veterans Day events, the Marine Corps Birthday Ball, and our Veterans Day rally to increase awareness about Don't Ask Don't Tell.

Ben Gomez
 Pres. San Diego AVER
 elranchoboy@cox.net

(more photos on page 17)



We at AVER Hawaii are very pleased to be now officially recognized as a chapter of AVER. It is something that we have hoped for since some of us got together and formed a chapter here in Honolulu in February 2006. Since then, we have marched in two Pride Parades and have shared a table at the annual Pride Festival with members of SLDN. Because we had a color guard as a part of our Parade entry, we were allowed to be very near the beginning of the Parade, just behind the Dykes on Bikes. We're excited to be listed as a recognized group on AVER's national web site, and to have a web

presence (www.averhawaii.com) of our own now too. We have a picnic planned for December, and we hope to meet with at least one or two of our members of Congress regarding MREA, though all four of them are LGBT supportive.

Joseph O'Brien
 VP AVER Hawaii
 aver@averhawaii.com



After an extremely busy summer, AVER Puget Sound chapter relaxed a bit this Autumn, focusing on increasing membership rolls and local projects, as well as continuing our work to garner more co-sponsorships for the Military Readiness Enhancement Act of 2007, H.R.1246, from the Washington U.S. House Representatives.

Our next meeting will be a luncheon that will take place on 19 January 2008. We hope that all of our members and friends have a safe holiday season and a wonderful new year.

Julz Carey
 Pres. AVER Puget Sound
 seasii@aol.com



AVER San Diego members get the chapter's float prepared for the Veterans Day parade. Photo courtesy of Ben Gomez.



Marine Corps Birthday Guest Speaker Reichen Lemkuhl. Photo courtesy of Ben Gomez



Marine Corps Birthday Ball. [L-R] Jeff Redondo, Guest of Reichen Lemkuhl, Reichen Lemkuhl, Bobby Thompson, Ben Gomez. Photo courtesy of Ben Gomez, AVER San Diego chapter Pres.

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MN - Twin Cities

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NY - Rochester

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TX - Austin

- region4vp@aver.us

AVER SPONSORS

SPONSORING AVER IN 2008

American Veterans for Equal Rights *began its "new year" on 01 October 2007, just like our brothers and sisters in arms who still wear the uniform. Every year, with each passing milestone along the road, AVER adds new goals to its ongoing missions, building upon those accomplishments of the past. A significant portion of yearly membership dues goes to calculated costs, such as printing The Forward Observer. We hope that you will consider making a tax-deductible donation to AVER, to help us move forward by leaps and bounds in all of our missions.*

We can't do this without you...

Sponsorship checks should be mailed to:

**American Veterans for Equal Rights
P. O. Box 1490
2020 Pennsylvania Ave. NW
Washington, DC 20006**

To make a sponsorship donation via the AVER national web site, go to: www.aver.us/sponsor/gift.php

At that page, you can either make a one-time donation, or sign up to make recurring monthly "subscription" donations. Online donations are handled through PayPal [FDIC] to ensure that all of your transactions are fully secured. A PayPal account is not required for one-time donations.

Please note: AVER normally lists yearly sponsors here and at www.aver.us. Though participation and/or sponsorship of AVER and its events neither suggests nor implies sexual orientation, we do understand that some may wish to remain anonymous. AVER ***always*** respects the privacy of those donors who ***ask*** to remain anonymous. If you require anonymity, ***please tell us at the time of your donation.***



Marine Corps Birthday. [L-R] Chapter President Ben Gomez, Rep. Susan Davis, LGBT Veteran of the Year Ben F. Dillingham, III, Rep. Bob Filner, Co-Chair Robert Lehman. All photos this page: courtesy of Ben Gomez.



AVER San Diego Veterans Day Parade Contingents, led by Chapter Members Edwin Lohr & Carl Moccacliche.



(Standing) City Commissioners Nicole Murray-Ramirez & Tom Felkner.



AVER San Diego Veterans Day parade float.

Military Readiness Enhancement Act of 2007

(110th Congress H.R. 1246)

HR 1246 IH
110th CONGRESS
1st Session
H. R. 1246

IN THE HOUSE OF REPRESENTATIVES

A BILL

To amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as 'Don't Ask, Don't Tell', with a policy of nondiscrimination on the basis of sexual orientation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Military Readiness Enhancement Act of 2007'.

SEC. 2. PURPOSE.

The purpose of this Act is to institute in the Armed Forces a policy of nondiscrimination based on sexual orientation.

SEC. 3. REPEAL OF 1993 POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

The following provisions of law are repealed:

(1) Section 654 of title 10, United States Code.

(2) Subsections (b), (c), and (d) of section 571 of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 654 note).

SEC. 4. ESTABLISHMENT OF POLICY OF NON-DISCRIMINATION BASED ON SEXUAL ORIENTATION IN THE ARMED FORCES.

(a) Establishment of Policy- (1) Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

'Sec. 656. Policy of nondiscrimination based on sexual orientation

'(a) Policy- The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may not discriminate on the basis of sexual orientation against any member of the armed forces or against any person seeking to become a member of the armed forces.

'(b) Discrimination on Basis of Sexual Orientation - For purposes of this section, discrimination on the basis of sexual orientation is--

'(1) in the case of a member of the armed forces, the taking of any personnel or administrative action (including any action relating to promotion, demotion, evaluation, selection for an award, selection for

a duty assignment, transfer, or separation) in whole or in part on the basis of sexual orientation; and

'(2) in the case of a person seeking to become a member of the armed forces, denial of accession into the armed forces in whole or in part on the basis of sexual orientation.

'(c) Personnel and Administrative Policies and Action- The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may not establish, implement, or apply any personnel or administrative policy, or take any personnel or administrative action (including any policy or action relating to promotions, demotions, evaluations, selections for awards, selections for duty assignments, transfers, or separations) in whole or in part on the basis of sexual orientation.

'(d) Rules and Policies Regarding Conduct- Nothing in this section prohibits the Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, from prescribing or enforcing regulations governing the conduct of members of the armed forces if the regulations are designed and applied without regard to sexual orientation.

'(e) Re-Accession of Otherwise Qualified Persons Permitted- Any person separated from the armed forces for homosexuality, bisexuality, or homosexual conduct in accordance with laws and regulations in effect before the date of the enactment of this section, if otherwise qualified for re-accession into the armed forces, shall not be prohibited from re-accession into the armed forces on the sole basis of such separation.

'(f) Sexual Orientation- In this section, the term 'sexual orientation' means heterosexuality, homosexuality, or bisexuality, whether the orientation is real or perceived, and includes statements and consensual sexual conduct manifesting heterosexuality, homosexuality, or bisexuality.'

(2) The table of sections at the beginning of such chapter is amended--

(A) by striking the item relating to section 654; and

(B) by adding at the end the following new item:

'656. Policy of nondiscrimination based on sexual orientation in the armed forces.'

(b) Conforming Amendments- Title 10, United States Code, is amended as follows:

(1) Section 481 is amended--

(A) In subsection (a)(2), by inserting ', including sexual orientation discrimination,' after 'discrimination' in subparagraphs (C) and (D); and

(B) in subsection (c), by inserting 'and sexual orientation-based' after 'gender-based' both places it appears.

(2) Section 983(a)(1) is amended by striking '(in accordance with section 654 of this title and other applicable Federal laws)'.

(3) Section 1034(i)(3) is amended by inserting 'sexual orientation,' after 'sex,'.

SEC. 5. BENEFITS.

Nothing in this Act, or the amendments made by this Act, shall be construed to require the furnishing of dependent benefits in violation of section 7 of title 1, United States Code (relating to the definitions of 'marriage' and 'spouse' and referred to as the 'Defense of Marriage Act').

SEC. 6. NO PRIVATE CAUSE OF ACTION FOR DAMAGES.

Nothing in this Act, or the amendments made by this Act, shall be construed to create a private cause of action for damages.

SEC. 7. REGULATIONS.

(a) In General- Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense regulations, and shall issue such new regulations as may be necessary, to implement section 656 of title 10, United States Code, as added by section 4(a). The Secretary of Defense shall further direct the Secretary of each military department to revise regulations of that military department in accordance with section 656 of title 10, United States Code, as added by section 4(a), not later than 180 days after the date of the enactment of this Act. Such revisions shall include the following:

(1) Revision of all equal opportunity and human relations regulations, directives, and instructions to add sexual orientation nondiscrimination to the Department of Defense Equal Opportunity policy and to related human relations training programs.

(2) Revision of Department of Defense and military department personnel regulations to eliminate procedures for involuntary discharges based on sexual orientation.

(3) Revision of Department of Defense and military department regulations governing victims' advocacy programs to include sexual orientation discrimination among the forms of discrimination for which members of the Armed Forces and their families may seek assistance.

(b) Regulation of Conduct- The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, shall ensure that regulations governing the personal conduct of members of the Armed Forces shall be written and enforced without regard to sexual orientation.

(c) Definition- In this section, the term 'sexual orientation' has the meaning given that term in section 656(f) of title 10, United States Code, as added by section 4(a).