

119TH CONGRESS
2D SESSION

S. RES. _____

Recognizing September 20, 2026, as “National LGBTQ+ Servicemembers and Veterans Day”.

IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. COONS, Ms. DUCKWORTH, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINE, Mr. MARKEY, Mrs. MURRAY, Mr. PADILLA, Mr. SANDERS, Mr. SCHATZ, Mr. SCHIFF, Ms. SMITH, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Recognizing September 20, 2026, as “National LGBTQ+ Servicemembers and Veterans Day”.

Whereas lesbian, gay, bisexual, transgender, and queer (referred to in this preamble as “LGBTQ+”) servicemembers and veterans have honorably served in the Armed Forces in every war to which the United States was a party, beginning with the Revolutionary War;

Whereas LGBTQ+ servicemembers and veterans have served in the Armed Forces despite discriminatory policies based on who they love or how they identify;

Whereas, on April 27, 1953, President Dwight D. Eisenhower signed Executive Order 10450 (18 Fed. Reg. 2489; relating to security requirements for Government employment), which declared “sexual perversion” to be a security risk and grounds for denying Federal employment;

Whereas Executive Order 10450, which was eventually repealed by President Barack Obama in 2017, contributed to the “Lavender Scare” of the 1950s by banning gay and lesbian people from working in the Government, including in the Armed Forces, and was similarly applied to transgender people as early as 1960;

Whereas, beginning in 1963, Army medical standards explicitly disqualified transgender people from serving in the Army, and for 30 years, beginning in the mid-1980s, Department of Defense regulations explicitly disqualified transgender people from military service;

Whereas, in 1982, the Department of Defense implemented a policy stating that “homosexuality is incompatible with military service”, and between 1980 and 1990, an average of 1,500 military servicemembers were discharged every year on the basis of their sexual orientation;

Whereas, in 1993, as part of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1547), Congress enacted the “Don’t Ask, Don’t Tell” policy, which declared that the presence of gay, lesbian, and bisexual people in the Armed Forces was an “unacceptable risk” to morale, good order, discipline, and unit cohesion, and required the Armed Forces to discharge servicemembers who—

(1) engaged in, attempted to engage in, or solicited “homosexual acts”;

(2) stated that they were homosexual or bisexual; or
(3) married or attempted to marry a same-sex partner;

Whereas the Department of Defense has acknowledged that 13,472 personnel were discharged from the Armed Forces under the “Don’t Ask, Don’t Tell” policy, and an additional 19,365 personnel were discharged between 1980 and 1993 under similar policies that targeted servicemembers based on sexual orientation;

Whereas the White House estimates that more than 100,000 servicemembers have been discharged from the Armed Forces for their sexual orientation or gender identity;

Whereas, on September 20, 2011, the “Don’t Ask, Don’t Tell” policy was officially repealed, following President Barack Obama’s certification of the repeal on July 22, 2011, as required by the Don’t Ask, Don’t Tell Repeal Act of 2010 (10 U.S.C. 654 note; Public Law 111–321);

Whereas, on June 30, 2016, the Department of Defense announced an end to the ban on transgender servicemembers across all components of the Department of Defense;

Whereas, on July 26, 2017, President Donald J. Trump announced that transgender people would not be allowed to serve in the military;

Whereas, on January 25, 2021, President Joseph R. Biden signed Executive Order 14004 (86 Fed. Reg. 7471; relating to enabling all qualified Americans to serve their country in uniform), which repealed the 2017 ban on transgender military servicemembers;

Whereas, on June 26, 2024, President Joseph R. Biden pardoned veterans who had been convicted in military courts

for consensual sodomy between 1951 and 2013 under former article 125 of the Uniform Code of Military Justice;

Whereas, on January 27, 2025, President Donald J. Trump signed Executive Order 14183 (90 Fed. Reg. 8757; relating to prioritizing military excellence and readiness), which reinstated the ban on transgender servicemembers and directed the Department of Defense to stop respecting transgender people’s correct pronouns and to prohibit transgender people from using facilities that align with their gender identity;

Whereas, on February 7, 2025, the Secretary of Defense issued a memorandum halting all gender-affirming medical procedures for servicemembers;

Whereas, on February 26, 2025, the Department of Defense announced that transgender and nonbinary servicemembers are “no longer eligible for military service” and “will be processed for separation from military service”;

Whereas, on March 17, 2025, the Department of Veterans Affairs announced that it will no longer offer gender-affirming hormone therapy to veterans who were not already receiving such care; and

Whereas challenges still exist for LGBTQ+ servicemembers and veterans seeking equitable treatment in service and access to benefits: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) recognizes September 20, 2026, as “Na-
3 tional LGBTQ+ Servicemembers and Veterans
4 Day”;

1 (2) celebrates the contributions of lesbian, gay,
2 bisexual, transgender, and queer (referred to in this
3 resolution as “LGBTQ+”) servicemembers and vet-
4 erans who have served in the Armed Forces;

5 (3) regrets the harm done to LGBTQ+
6 servicemembers and veterans under the “Don’t Ask,
7 Don’t Tell” policy and earlier policies, bans on
8 transgender servicemembers, and other policies that
9 discriminate based on sexual orientation and gender
10 identity;

11 (4) recognizes how “other than honorable” and
12 “dishonorable” discharges given to LGBTQ+
13 servicemembers on the basis of sexual orientation
14 and gender identity—

15 (A) prematurely terminated the careers of
16 LGBTQ+ servicemembers in the Armed
17 Forces;

18 (B) subjected LGBTQ+ servicemembers to
19 the trauma of investigations and criminal
20 charges;

21 (C) unfairly denied LGBTQ+
22 servicemembers the honor associated with mili-
23 tary service;

1 (D) deprived LGBTQ+ servicemembers of
2 benefits those servicemembers have earned and
3 deserve as veterans; and

4 (E) continue to cause LGBTQ+
5 servicemembers dignitary harm;

6 (5) urges the Department of Veterans Affairs
7 and the Department of Defense—

8 (A) to implement policy changes that re-
9 store justice and right wrongs caused by past
10 and present government-sponsored discrimina-
11 tion, including by ending the transgender mili-
12 tary ban; and

13 (B) to conduct further outreach to
14 LGBTQ+ servicemember and veteran commu-
15 nities to ensure that those discharged based on
16 their sexual orientation and gender identity can
17 receive their benefits; and

18 (6) urges the Department of Veterans Affairs
19 and the Department of Defense to restore and ex-
20 pand access to the full range of health care needed
21 by transgender veterans and servicemembers and
22 their families, including gender-affirming care, and
23 ensure that such care is delivered in a non-discrimi-
24 natory and culturally competent manner.