

JAN 25 2012

SENATE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO FUND ABORTIONS FOR
SERVICEWOMEN IN CASES OF RAPE OR INCEST AND LIFT THE BAN ON
PRIVATE FUNDING OF ABORTIONS AT MILITARY BASES.

1 WHEREAS, female military personnel have the same right to
2 basic health care services as their male counterparts, and
3 reproductive health care is a fundamental component of health
4 care for women; and

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6 WHEREAS, the ban on privately funded abortions in military
7 facilities discriminates against women in the United States
8 military who have volunteered to serve their country and who
9 have been assigned to posts overseas; and

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11 WHEREAS, the ban on privately funded abortions in military
12 facilities poses grave health risks and places an insurmountable
13 obstacle to access quality healthcare leaving servicewomen and
14 military dependents far worse off than civilian women; and

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16 WHEREAS, in light of the tragically high incidence of rape
17 and sexual assaults suffered by women in the military,
18 servicewomen should not be further harmed by the denial of safe
19 abortion services; and

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21 WHEREAS, the ban on abortions at military facilities
22 requires a woman to go to a private hospital or clinic, which
23 leaves the woman no choice but to use a local facility that may
24 be substandard or unsafe; and

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26 WHEREAS, obtaining an abortion in a local hospital is
27 virtually impossible for many of the estimated 100,000 American
28 servicewomen in foreign countries, particularly in Afghanistan;
29 and



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2 WHEREAS, the costs, time, and obvious risks involved in
3 obtaining an abortion outside of military facilities prevent
4 some servicewomen and military dependents from obtaining the
5 health care they otherwise could have received; and
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7 WHEREAS, under current law, title 10 United States Code
8 section 1093(a) provides that *funds* available to the Department
9 of Defense may be used to perform abortions only where the life
10 of the mother would be endangered if the fetus were carried to
11 term; and
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13 WHEREAS, under title 10 United States Code section 1093(b),
14 Department of Defense medical *facilities* may be used to perform
15 abortions where the life of the mother would be endangered if
16 the fetus were carried to term or in a case in which the
17 pregnancy is the result of an act of rape or incest; and
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19 WHEREAS, restricting the use of United States Department of
20 Defense funds for abortions to only those instances where the
21 mother's life would be endangered risks the lives of many
22 servicewomen by forcing victims of rape or incest to personally
23 fund and contract for abortion procedures with foreign
24 physicians in many countries that lack medical personnel trained
25 to the standards of United States physicians; and
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27 WHEREAS, providing military women serving overseas the same
28 access to basic health care, including safe abortions at
29 military facilities, is an issue of basic fairness; now,
30 therefore,
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32 BE IT RESOLVED by the Senate of the Twenty-sixth
33 Legislature of the State of Hawaii, Regular Session of 2011, the
34 House of Representatives concurring, that the United States
35 Congress is requested to:
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- 37 (1) Recognize that over 365,000 women serve in the United
38 States Armed Forces and that more than 100,000 are
39 currently stationed and serving overseas;
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- 1 (2) Express concern that at a time when the United States
- 2 is engaged in military actions on multiple fronts, and
- 3 servicewomen put their lives at risk to preserve
- 4 American rights and freedom, it is deeply troubling
- 5 that American servicewomen are denied access to safe,
- 6 legal abortion when they serve abroad; and
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- 8 (3) Act to lift the ban on private funding of abortions at
- 9 military bases; and
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- 11 (4) Amend section 1093(a) of title 10 United States Code
- 12 to allow funds available to the Department of Defense
- 13 to be used to perform abortions in cases in which a
- 14 pregnancy is the result of an act of rape or incest;
- 15 and
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17 BE IT FURTHER RESOLVED that certified copies of this
 18 Concurrent Resolution be transmitted to the Majority Leader of
 19 the United States Senate, the Speaker of the United States House
 20 of Representatives, and to the members of Hawaii's congressional
 21 delegation.

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