

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 1177

Expressing the sense of the House of Representatives that the practice of the Department of Defense to continue to use stop-loss orders to retain members of the Armed Forces who have completed their contractual obligations runs contrary to the stated policy of the United States to utilize an all-volunteer force.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2008

Ms. SUTTON (for herself, Mr. McDERMOTT, Mr. COHEN, Ms. McCOLLUM of Minnesota, Mr. McGOVERN, Ms. BALDWIN, Mr. GRJALVA, Mr. STARK, Mr. KUCINICH, and Mr. FILNER) submitted the following resolution; which was referred to the Committee on Armed Services

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# RESOLUTION

Expressing the sense of the House of Representatives that the practice of the Department of Defense to continue to use stop-loss orders to retain members of the Armed Forces who have completed their contractual obligations runs contrary to the stated policy of the United States to utilize an all-volunteer force.

Whereas the President's stop-loss authority derives from section 12305 of title 10, United States Code, which states that the President may suspend any provision of law relating to promotion, retirement, or separation applicable to members of the Armed Forces who the President de-

termines are essential to the national security of the United States;

Whereas President George H.W. Bush issued Executive Order 12728 on August 22, 1990, delegating stop-loss authority to the Secretary of Defense;

Whereas on September 19, 2001, Secretary of Defense Donald Rumsfeld delegated this authority to each of the branches of the Armed Forces;

Whereas the Army has implemented a stop-loss policy that prevents soldiers who have completed their contractual obligations from voluntarily separating from the Army if their units are deploying to Iraq and Afghanistan;

Whereas since September 19, 2001, nearly 45,000 members of the Armed Forces have had their service involuntarily extended by stop-loss orders;

Whereas on January 19, 2007, Secretary of Defense Robert Gates sent a memorandum to the Secretaries of the military departments, Under Secretaries of Defense, and the Chairman of the Joint Chiefs of Staff setting February 28, 2007, as a deadline for the submission of plans to minimize stop-loss for regular and reserve component forces;

Whereas the Department of Defense has not taken adequate action to implement stop-loss minimization plans;

Whereas a report commissioned by the Pentagon stated that “the persistent use of stop-loss underscores the fact that the war-fighting burden is being carried by a handful of soldiers” and that policies such as stop-loss “risk breaking the force as recruitment and retention problems mount”; and

Whereas stop-loss orders place an unjustifiable strain on members of the Armed Forces and their families who have already sacrificed tremendously in defense of the United States: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that the Secretary of Defense should—

3               (1) immediately submit to Congress a plan to  
4       minimize the utilization of stop-loss orders that pre-  
5       vent members of the Armed Forces who have com-  
6       pleted their contractual obligations from voluntarily  
7       separating from the Armed Forces; and

8               (2) immediately implement a new stop-loss pol-  
9       icy to ensure that no member of the Armed Forces  
10       who has completed a tour of duty in Iraq or Afghan-  
11       istan is subject to a stop-loss order.

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