

## **White House Statement On Policy Regarding Homosexuals in the Military**

(Issued January 29, 1993)

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The President has directed the Secretary of Defense to conduct a review of the current Department of Defense policy that excludes homosexuals from military service and prepare a draft executive order based upon that review by July 15, 1993.

Current Department of Defense personnel policies related to this issue will remain in effect at least through July 15, 1993, while the Department of Defense is conducting the review directed by the President, subject to the following guidance:

First, questions regarding sexual orientation will be removed from future versions of the induction application, and will not be asked in the interim. The briefings on military justice which all recruits are required to receive upon entry to military service and periodically thereafter under Article 137 of the Uniform Code of Military Justice will include a detailed explanation of the applicable laws and regulations governing sexual conduct by members of the armed services.

Second, The Department of Justice is seeking continuances in pending court cases involving former service members who have been discharged on the basis of homosexuality and who are seeking reinstatement into military service. The continuance would freeze those cases pending the completion of the review directed by the President.

Third, commanding officers will continue to process cases under the current cases and regulations relating to homosexuality.

- Cases involving homosexuals conduct will be processed through actual separation and discharge in accordance with current policy.

- When a case involves only homosexual status and the person involved requests a discharge, the person will be released from active duty.

- Cases involving acknowledged homosexual status being contested by the individual will be processed through all applicable stages, including notice of the basis for separation, hearings before a board of officers, review of the board's recommendations by the separation authority, and action by the separation authority to discharge the person. If directed by the Attorney General, the final discharge in the cases based only on status will be suspended until the President acts on the recommendations of the Secretary of Defense with respect to current policy. A member whose discharge has been suspended by the Attorney General will be separated from active duty and placed in the standby reserve. Individuals in the standby reserve would have the option to return, upon request, to active duty should the current policy be changed. Those personnel whose cases have not been suspended will be discharged.

Commanding officers may, in the interests of the individual [and?] of the unit concerned, direct changes in the assignment of personnel during the course of separation proceedings.