

The President's News Conference January 29, 1993

Homosexuals in the Military

The President. Good afternoon, ladies and gentlemen. I'm sorry, we had a last-minute delay occasioned by another issue, not this one.

The debate over whether to lift the ban on homosexuals in the military has, to put it mildly, sparked a great deal of interest over the last few days. Today, as you know, I have reached an agreement, at least with Senator Nunn and Senator Mitchell, about how we will proceed in the next few days. But first I would like to explain what I believe about this issue and why, and what I have decided to do after a long conversation, and a very good one, with the Joint Chiefs of Staff and discussions with several Members of Congress.

The issue is not whether there should be homosexuals in the military. Everyone concedes that there are. The issue is whether men and women who can and have served with real distinction should be excluded from military service solely on the basis of their status. And I believe they should not.

The principle on which I base this position is this: I believe that American citizens who want to serve their country should be able to do so unless their conduct disqualifies them from doing so. Military life is fundamentally different from civilian society; it necessarily has a different and stricter code of conduct, even a different code of justice. Nonetheless, individuals who are prepared to accept all necessary restrictions on their behavior, many of which would be intolerable in civilian society, should be able to serve their country honorably and well.

I have asked the Secretary of Defense to submit by July the 15th a draft Executive order, after full consultation with military and congressional leaders and concerned individuals outside of the Government, which would end the present policy of the exclusion from military service solely on the basis of sexual orientation and at the same time establish rigorous standards regarding sexual conduct to be applied to all military personnel.

This draft order will be accompanied by a study conducted during the next 6 months on the real, practical problems that would be in-

volved in this revision of policy, so that we will have a practical, realistic approach consistent with the high standards of combat effectiveness and unit cohesion that our armed services must maintain. I agree with the Joint Chiefs that the highest standards of conduct must be required.

The change cannot and should not be accomplished overnight. It does require extensive consultation with the Joint Chiefs, experts in the Congress and in the legal community, joined by my administration and others. We've consulted closely to date and will do so in the future. During that process, interim measures will be placed into effect which, I hope, again, sharpen the focus of this debate. The Joint Chiefs of Staff have agreed to remove the question regarding one's sexual orientation from future versions of the enlistment application, and it will not be asked in the interim.

We also all agree that a very high standard of conduct can and must be applied. So the single area of disagreement is this: Should someone be able to serve their country in uniform if they say they are homosexuals, but they do nothing which violates the code of conduct or undermines unit cohesion or morale, apart from that statement? That is what all the furor of the last few days has been about. And the practical and not insignificant issues raised by that issue are what will be studied in the next 6 months.

Through this period ending July 15th, the Department of Justice will seek continuances in pending court cases involving reinstatement. And administrative separation under current Department of Defense policies based on status alone will be stayed pending completion of this review. The final discharge in cases based only on status will be suspended until the President has an opportunity to review and act upon the final recommendations of the Secretary of Defense with respect to the current policy. In the meantime, a member whose discharge has been suspended by the Attorney General will be separated from active duty and placed in standby reserve until the final report of the Secretary of Defense and the final action of the President. This is the agreement that I have reached with Senator Nunn and Senator Mitchell.

During this review process, I will work with the Congress. And I believe the compromise announced today by the Senators and by me shows that we can work together to end the gridlock that has plagued our city for too long.

This compromise is not everything I would have hoped for or everything that I have stood for, but it is plainly a substantial step in the right direction. And it will allow us to move forward on other terribly important issues affecting far more Americans.

My administration came to this city with a mission to bring critical issues of reform and renewal and economic revitalization to the public debate, issues that are central to the lives of all Americans. We are working on an economic reform agenda that will begin with an address to the joint session of Congress on February 17th. In the coming months the White House Task Force on Health Care, chaired by the First Lady, will complete work on a comprehensive health care reform proposal to be submitted to Congress within 100 days of the commencement of this administration. We will be designing a system of national service to begin a season of service in which our Nation's unmet needs are addressed and we provide more young people the opportunity to go to college. We will be proposing comprehensive welfare reform legislation and other important initiatives.

I applaud the work that has been done in the last 2 or 3 days by Senator Nunn, Senator Mitchell, and others to enable us to move forward on a principle that is important to me without shutting the Government down and running the risk of not even addressing the family and medical leave issue, which is so important to America's families, before Congress goes into its recess. I am looking forward to getting on with this issue over the next 6 months and with these other issues which were so central to the campaign and, far more importantly, are so important to the lives of all the American people.

Q. Mr. President, yesterday a Federal court in California said that the military ban on homosexuals was unconstitutional. Will you direct the Navy and the Justice Department not to appeal that decision? And how does that ruling strengthen your hand in this case?

The President. Well, it makes one point. I think it strengthens my hand, if you will, in two ways. One, I agree with the principle embodied in the case. I have not read the opinion,

but as I understand it, the opinion draws the distinction that I seek to draw between conduct and status. And secondly, it makes the practical point I have been making all along, which is that there is not insignificant chance that this matter would ultimately be resolved in the courts in a way that would open admission into the military without the opportunity to deal with this whole range of practical issues, which everyone who has ever thought about it or talked it through concedes are there. So I think it can—it strengthens my hand on the principle as well as on the process.

Q. Mr. President, there's a glass of water there, by the way, while I ask the question. Do you think, since you promised during the campaign—your literature put out a very clear statement: lift the ban on homosexuals in the military immediately—do you think you didn't think through these practical problems? What have you learned from this experience in dealing with powerful members of the Senate and the Joint Chiefs? And how much of a problem is this for you to accept a compromise which doesn't meet your real goals?

The President. Well, I haven't given up on my real goals. I think this is a dramatic step forward. Normally, in the history of civil rights advancements, Presidents have not necessarily been in the forefront in the beginning. So I think the fact that we actually have the Joint Chiefs of Staff agreeing that it's time to take this question off the enlistment form, that there ought to be a serious examination of how this would be done, even though they haven't agreed that it should be done; that the Senate, if they vote for the motion advocated by Senators Nunn and Mitchell, will agree; Senators who don't agree that the policy should be changed are agreeing that we ought to have a chance to work through this for 6 months and persuade them of that, I think, is very, very significant.

Now, I would remind you that any President's Executive order can be overturned by an act of Congress. The President can then veto the act of Congress and try to have his veto sustained if the act stands on its own as a simple issue that could always be vetoed. But I always knew that there was a chance that Congress would disagree with my position. I can only tell you that I still think I'm right; I feel comfortable about the way we have done this; and I'm going to maintain the commitment that I have.

Q. But do you think that you hadn't examined the practical problems—

Q. Sir, I just wonder, do you think in retrospect that—obviously, you didn't intend the first week—I'm sorry, you want to—

The President. No, I had always planned to allow some period of time during which policies would be developed to deal with what I think are the significant practical problems. This, in effect, may reverse the process over what I intended to do, but there has to be a time in which these issues, these practical issues are developed and policies are developed to deal with them.

Q. Obviously, you didn't intend the first week of your administration, given your promise to have the laser focus on the economy, to be seen around the country as military gay rights week. I wonder if in retrospect you think you could have done things differently to have avoided that happening?

The President. I don't know how I could have done that. The Joint Chiefs asked for a meeting about a number of issues, in which this was only one. We spent a lot of time talking about other things. This issue was not put forward in this context by me; it was put forward by those in the United States Senate who sought to make it an issue early on. And I don't know how I could have stopped them from doing that.

Q. You don't think that in making the promise and then in promising to follow through on it early that you might have given rise to this, do you, sir?

The President. Well, I think it was pretty clear to me that we were talking about some sort of 6-month process days and days ago. And the people who wanted it debated now were not deterred by that, and probably a lot of them won't be deterred by the agreement announced today. I think that we must—they have the perfect right to do this. But the timing of this whole issue was clearly forced by the people in the Senate who were opposed to any change of the policy no matter what the facts are. And I think that was their right to do, but they control the timing of this, not me.

Q. Two questions. First of all, just to make sure that we're clear on this: July 15th this happens, period, regardless of what comes out at these hearings, is that correct? The ban will be issued, or will be lifted, rather?

The President. That is my position. My position is that I still embrace the principle, and

I think it should be done. The position of those who are opposed to me is that they think that the problems will be so overwhelming everybody with good sense will change their position. I don't expect to do that.

Q. So you definitely expect to do it. And secondly—

The President. I don't expect to change my position, no.

Q. What do you think is going to happen in the military? There have been all sorts of dire predictions of violence, of mass coming-out, whatever. What do you think the impact of this is going to be, practically?

The President. For one thing, I think if you look at the last 10 years of experience here, according to the reports we have, this country spent \$500 million in tax dollars to separate something under 16,500 homosexuals from the service and has dealt with complaints, at least, of sexual abuse, heterosexual abuse, largely against women, far greater volumes. But during this period, we have plainly had the best educated, best trained, most cohesive military force in the history of the United States. And everybody, ask anybody, and the Joint Chiefs will tell you that.

They agreed that we should stop asking the question. This single thing that is dividing people on this debate, I want to make it very clear that this is a very narrow issue. It is whether a person, in the absence of any other disqualifying conduct, can simply say that he or she is homosexual and stay in the service. I do not expect that to spark this kind of problem. And I certainly think in the next 6 months, as people start to work it through and talk it through, a lot of legitimate, practical issues will be raised and dealt with in a more rational environment that is less charged. That is certainly what I hope will happen.

Thank you.

Q. Want to tell us what the other problem was you were working on, Mr. President, on the Middle East, sir?

The President. No, tomorrow or the next day.

NOTE: The President's first news conference began at 1:44 p.m. in the Briefing Room at the White House.