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## **SECRETARY ASPIN RELEASES NEW REGULATIONS ON HOMOSEXUAL CONDUCT IN THE ARMED FORCES**

Secretary of Defense Les Aspin released today the new Department of Defense regulations on homosexual conduct in the Armed Forces. The regulations implement the policy that was announced by President Clinton in July.

The new directives were prepared with the collaboration and coordination of all the military services and are fully consistent with the National Defense Authorization Act for Fiscal Year 1994.

Secretary Aspin said, "We are confident that the new policy will maintain unit cohesion and will maintain the readiness of the best-trained, best-equipped military in the world today."

The new policy covers five areas:

- **Accessions.** Accession policy has been revised so that no applicant will be asked about his or her sexual orientation as part of the accession process. Sexual orientation is considered a personal and private matter, and homosexual orientation is not a bar to service entry or continued, service unless manifested by homosexual conduct.
- **Separations.** Separation policy has been revised to emphasize that DoD judges the suitability of persons to serve in the Armed Forces on the basis of conduct, not sexual orientation. The three bases for separation are homosexual acts, same sex marriages, and statements by an individual that he or she is a homosexual or bisexual. In the latter case, the individual has the opportunity to rebut the presumption of homosexual acts by demonstrating that he or she does not engage in homosexual acts and does not have a propensity or intent to do so.
- **Criminal Investigations.** The new directive on criminal investigations of sexual misconduct makes clear that no Defense criminal investigative organization or other DoD law enforcement organization will conduct an investigation solely to determine a servicemember's sexual orientation. Investigations will be conducted in an evenhanded manner, without regard to whether the alleged sexual misconduct involves homosexual or heterosexual conduct.

- **Personnel Security.** Policy concerning personnel security investigations is also changed to provide that no investigation or inquiries will be conducted solely to determine a subject's sexual orientation and that questions pertaining to an individual's sexual orientation will not be asked on personnel security questionnaires. Information about homosexual orientation or conduct obtained during a security clearance investigation will not be used by the military departments in separation proceedings.
- **Military Training.** As part of the training that will occur upon entry and periodically thereafter, service members will be informed of the DoD policy on sexual conduct, including homosexual conduct. There is also a training plan on DoD policy on homosexual conduct designed for commanders and personnel involved in recruiting, accession processing, criminal investigations and administrative separations.

The next step, Aspin noted, is for the services to implement the new policy, a process expected to take about 45 days.

Attached is an overview of the directives implementing the new DoD policy. Also available for news media from the Directorate for Defense Information in Room 2E765 of the Pentagon are copies of those portions of the directives which pertain to the new policy on homosexual conduct in the Armed Forces.

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