

Clinton order bans bias against gays for security clearances

By Ruth Larson
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The White House yesterday released an executive order banning discrimination in granting security clearances solely because a person is a homosexual or has received mental health counseling.

In his executive order, "Access to Classified Information," President Clinton said, "Security policies designed to protect classified information must ensure consistent, cost effective protection ... while providing fair and equitable treatment to those Americans upon whom we rely to guard our national security."

Former special counsel Robert

Fiske reported that White House Deputy Counsel Vincent W. Foster Jr., who committed suicide, had been reluctant to seek psychiatric counseling for his depression, for fear that it could jeopardize his White House security clearance.

The order adds "sexual orientation" to the standard nondiscrimination list, which includes race, color, or sex, and says, "No inference concerning the [eligibility] standards ... may be raised solely on the basis of the sexual orientation of the employee."

Homosexual-rights groups, which have lobbied for such protection since Mr. Clinton took office, hailed the move. "This a wonderful and welcome step," said

Elizabeth Birch, executive director of the Human Rights Campaign Fund, the country's largest homosexual-rights group.

But other groups, such as the Family Research Council, blasted the move. "For the past two and a half years, the Clinton administration has been hellbent on promoting homosexuality, with things like AIDS awareness classes," said retired Army Lt. Col. Robert L. McGinnis, policy analyst for the Family Research Council. "This is just another crack in the wall, but a serious one."

The order establishes a "uniform federal personnel security program" for current and prospective government employees.

"Until now, government employees were subject to a patchwork system of regulations which were, at best, unclear or ambiguous on the topic," said a memorandum by Marsha Scott, deputy assistant to the president for political affairs.

Investigators will not be allowed to ask whether a person is homosexual but likely will open the door for a voluntary response by asking whether the employee or contractor could be "influenced, coerced or compromised" by something in his or her background, an administration official said.

However, the order does not limit the power of agency chiefs "to deny or terminate access to classified information in the inter-

est of national security" under existing laws or executive orders.

The U.S. Supreme Court in 1988 upheld firings of homosexuals from the CIA and National Security Agency as legally justified under the National Security Act.

The order also says, "No negative inference concerning [eligibility standards] ... may be raised solely on the basis of mental health counseling. Such counseling can be a positive factor in eligibility determinations."

However, the order acknowledges that mental health may be considered in some circumstances, and a history of counseling may warrant further checks.

Members of the mental health

profession praised the decision. "I think it's an enlightened and informed position," said Dr. John McIntyre, a past president of the American Psychiatric Association.

"It disputes the notion that individuals who have had treatment are more of a security risk," he said, "when, in fact, properly treated, these individuals may be healthier."

"It's the very people who don't seek counseling that we should be concerned about," said Rhea Farberman, spokeswoman for the American Psychological Association.

• J. Jennings Moss and Frank Murray contributed to this story.