Extent

138 folders, approximately 11,240 pages

Summary

This collection consists of records related to the implementation of the "Don't Ask, Don't tell" policy concerning homosexuals serving in the military. The collection contains email and memos between White House Staffers, Department of Defense personnel and members of the National Security Council discussing issues with the implementation of the Don’t Ask, Don’t Tell policy. This correspondence centers on various court cases, including McVeigh v. Cohen, Cammermeyer v. Perry and Able v. U.S. The records also include communications between the White House and advocacy groups such as the Servicemembers Legal Defense Network (SLDN) concerning allegations of mismanagement in the investigations of alleged military homosexual conduct.

Scope and Content Note

The materials in FOIA 2015-0017-F (Segment 1) are a selective, not necessarily all inclusive, body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. Researchers interested in this topic should also see 2006-0227-F. This collection contains records concerning the “Don’t Ask, Don’t Tell” policy During his 1992 Presidential Campaign, Bill Clinton promised that, if he were elected, he would repeal the ban on homosexuals serving openly in the military. Once in office, however, the new President faced stiff opposition from many, including the chairman of the Joint Chiefs of Staff, General Colin Powell, the commandant of the Marine Corps, General Carl Mundy, and the chairman of the Senate Armed Services Committee, Sam Nunn. On July 19, 1993, President Clinton announced the compromise that became known as “Don’t Ask, Don’t Tell”. The policy ordered the military to stop asking recruits about their sexual orientation, but allowed for a military discharge if a member of the armed forces

stated that he or she is a homosexual or engages in “homosexual conduct”. While Clinton acknowledged in his announcement of the new policy that this was not “a perfect solution”, he did consider it “a major step forward”. This collection contains memos between White House staffers, Department of Defense personnel and members of the National Security Council discussing issues with the implementation of the “Don’t Ask, Don’t Tell” policy. The correspondence in this collection centers on various court cases, including McVeigh v. Cohen, Cammermeyer v. Perry and Able v. U.S. The records also include correspondence between the White House and advocacy groups such as the Servicemembers Legal Defense Network (SLDN) concerning allegations of mismanagement in the investigations of alleged military homosexual conduct. The records span the entire eight years of the Clinton Administration and range from the April 1993 meeting between the President and the Joint Chiefs of Staff about ending the ban on homosexuals openly serving in the military to the July 1999 murder of Army Private First Class Barry Winchell at Fort Campbell, Kentucky.

Record Type

Textual

System of Arrangement

Records that were responsive to this FOIA request were found in these collection areas— Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files; Clinton Presidential Records: White House Staff and Office Files and Clinton Presidential Records: NSC Cables and Emails. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Alpha file was compiled by the White House Office of Records Management from 1993 – 1996 and is a series of documents arranged by name of persons, organizations, or events. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office

files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. FOIA 2015-0017-F includes WHORM records from this subject code: HU010 Human Rights - Equality

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2016. Previously restricted materials are added as they are released.

Last Modified Date

2017-07-20

Container List

View all digitized files in the National Archives Catalog (NAC)

The following is a list of documents and folders processed in response to 2015-0017-F:
Box 1
Clinton Presidential Records: WHORM: Subject File
Category Case Number
HU010 036725SS
Clinton Presidential Records: White House Staff and Office Files
Chief of Staff
Echaveste, Maria
DOD [Department of Defense] / Don’t Ask, Don’t Tell [OA/ID 16431]
Chief of Staff
Gergan, David
Gays in the Military [OA/ID 2659]
Greenstone, Jodi
Gays in the Military [OA/ID 4351]
Stephanopoulos, George
Don’t Ask, Don’t Tell [OA/ID 8028]
Don’t Ask, Don’t Tell, Don’t Pursue Petitions from Richard Novotny [OA/ID 8028]
Gays in the Military Questionnaire [OA/ID 8028]
Homosexual Issues [OA/ID 8028]
Council of Economic Advisors
Schoeni, Robert
Gays in the Military [OA/ID 21167]
Counsel’s Office
Castello, James
Gays in the Military [OA/ID 6727]
General Files

Counsel 1993-95 Gays in the Military [1] [OA/ID 12203]
Counsel 1993-95 Gays in the Military [2] [OA/ID 12203]
Counsel 1993-95 Gays in the Military [3] [OA/ID 12203]
Counsel 1993-95 Gays in the Military [4] [OA/ID 12203]
Box 2
Counsel’s Office
General Files
Don’t Ask, Don’t Tell [OA/ID 20840]
Klein, Joel
Gays in the Military [1] [OA/ID 6040]
Gays in the Military [2] [OA/ID 6040]
Gays in the Military [3] [OA/ID 6040]
Krislov, Marvin
Neuwirth, Steve
Gays in the Military [1] [OA/ID 8191]
Gays in the Military [2] [OA/ID 8191]
Gays in the Military [3] [OA/ID 8191]
Gays in the Military: Gays in the Military [OA/ID 8191]
Gays in the Military – Benefits: Benefits – VA [OA/ID 8191]
Box 3
Gays in the Military – Benefits: Benefits Options – DOD [Department of Defense] [OA/ID 8191]
Gays in the Military – Benefits: Coast Guard [OA/ID 8191]
Gays in the Military – Benefits: Disability Diseases – DOD [Department of Defense] [OA/ID 8191]
Gays in the Military – Benefits: Disability Evaluation – DOD [Department of Defense] [OA/ID 8191]
Gays in the Military – Benefits: DOD [Department of Defense] Law-Disability [OA/ID 8191]
Counsel’s Office
Krislov, Marvin
Neuwirth, Steve
Gays in the Military – Benefits: DOD [Department of Defense] “Secretarial Designee” Authority [OA/ID 8191]
Gays in the Military – Benefits: HIV & Employment Studies [OA/ID 8191]
Gays in the Military – Benefits: HIV / DOD [Department of Defense]

[OA/ID 8191]
Gays in the Military – Benefits: VA Scale and Fitness for Military Case Law [OA/ID 8191]
Gays in the Military – Constitutionality: Constitutionality – General [OA/ID 8191]
Gays in the Military – Constitutionality: Equal Protection Case Law [OA/ID 8191]
Gays in the Military – Constitutionality: Equal Protection Standard of Review - Disability [OA/ID 8191]
Gays in the Military – Constitutionality: OLC [Office of Legal Counsel] Memo – Congressional Encroachment on Executive Authority [OA/ID 8191]
Gays in the Military – Executive Response and Background: Advocacy Response [OA/ID 8191]
Gays in the Military – Executive Response and Background: DOD [Department of Defense] Implementation Memo [OA/ID 8191]
Gays in the Military – Executive Response and Background: DOD [Department of Defense] Statement – HIV 5/95 [OA/ID 8191]
Gays in the Military – Executive Response and Background: Drafts – Presidential Directive [OA/ID 8191]
Gays in the Military – Executive Response and Background: Drafts – Talking Points [OA/ID 8191]
Gays in the Military – Executive Response and Background: HIV – FOIA [OA/ID 8191]
Gays in the Military – Executive Response and Background: Joint Statement – DOD [Department of Defense] and Joint Chiefs [OA/ID 8191]
Gays in the Military – Executive Response and Background: Military Exception to Disability Law – Case Law [OA/ID 8191]
Gays in the Military – Executive Response and Background: Newsclips [OA/ID 8191]
Gays in the Military – Executive Response and Background: Notes [OA/ID 8191]
Gays in the Military – Executive Response and background: Presidential Directive [OA/ID 8191]
Gays in the Military – Executive Response and Background: Repeal of Mandatory Discharge of HIV+ [OA/ID 8191]
Gays in the Military – Executive Response and Background: Signing Statement – Drafts [OA/ID 8191]

Gays in the Military – Executive Response and Background: Signing Statement – Final [OA/ID 8191]
Gays in the Military – Executive Response and Background: Statute [OA/ID 8191]
Gays in the Military – Executive Response and Background: Talking Points & Other Background Materials [OA/ID 8191]
Counsel’s Office
Krislov, Marvin
Neuwirth, Steve
Gays in the Military – Executive Response and Background: Title VII & Rehab Act [OA/ID 8191]
Box 4
Letter, Doug
Romer v. Evans / Gays in the Military [1] [OA/ID 8292]
Romer v. Evans / Gays in the Military [2] [OA/ID 8292]
Romer v. Evans / Gays in the Military [3] [OA/ID 8292]
Romer v. Evans / Gays in the Military [4] [OA/ID 8292]
Lindsey, Bruce
[Gays in the Military] [OA/ID 24795]
Gays in the Military [folder 1] [1] [OA/ID 24795]
Gays in the Military [folder 1] [2] [OA/ID 24795]
Gays in the Military [folder 1] [3] [OA/ID 24795]
Box 5
Counsel’s Office
Lindsey, Bruce
Gays in the Military [folder 1] [4] [OA/ID 24795]
Marshall, Bill
Gays in the Military [OA/ID 20836]
Nolan, Beth
Don’t Ask, Don’t Tell Policy [OA/ID 23485]
Oatken, Paul
Don’t Ask, Don’t Tell [OA/ID 40188]
Shurman, Kara; Pflomm, Kirsten
Don’t Ask / Don’t Tell [OA/ID 20837]
Sloan, Cliff
Gays in the Military [OAID 4660]

Gays in the Military – Abel [1] [OA/ID 4658]
Gays in the Military – Abel [2] [OA/ID 4658]
Gays in the Military – Abel [3] [OA/ID 4658]
Gays in the Military – Cammermeyer [OA/ID 4658]
Box 6
Gays in the Military – Elzie [OA/ID 4658]
Gays in the Military – Selland [OA/ID 4658]
Gays in the Military – Steffan [1] [OA/ID 4659]
Gays in the Military – Steffan [2] [OA/ID 4659]
Gays in the Military – Steffan [3] [OA/ID 4659]
Gays in the Military – Steffan [4] [OA/ID 4659]
Gays in the Military – Walmer [OA/ID 4659]
Gays in the Military Policies [OA/ID 4660]
Box 7
Counsel’s Office
Weiner, Robert
Don’t Ask / Don’t Tell [#1] [1] [OA/ID 12819]
Don’t Ask / Don’t Tell [#1] [2] [OA/ID 12819]
Don’t Ask / Don’t Tell [#1] [3] [OA/ID 12819]
Don’t Ask / Don’t Tell #2 [1] [OA/ID 12819]
Don’t Ask / Don’t Tell #2 [2] [OA/ID 12819]
Don’t Ask / Don’t Tell #2 [3] [OA/ID 12819]
Box 8
Don’t Ask / Don’t Tell #2 [4] [OA/ID 12819]
Don’t Ask / Don’t Tell #2 [5] [OA/ID 12819]
Don’t Ask / Don’t Tell #3 [1] [OA/ID 12819]
Don’t Ask / Don’t Tell #3 [2] [OA/ID 12819]
Don’t Ask / Don’t Tell #3 [3] [OA/ID 12819]
Don’t Ask / Don’t Tell #3 [4] [OA/ID 12819]
Don’t Ask / Don’t Tell #3 [5] [OA/ID 12819]
Box 9
Legislative Affairs
Griffin, Pat; Brophy, Susan; Paster, Howard
Gays in the Military [OA/ID 11004]
Miller Loraine
Gays in the Military [OA/ID 4574]

Newell, Felton
Gays in the Military [OA/ID 5280]
Riccheti, Steve
Ar. Ser. [Armed Services] Gays in the Military [OA/ID 11574]
National Security Council
Defense Policy and Arms Control
Beardsworth, Richard
Don’t Ask, Don’t Tell, 1993-1999 [1] [OA/ID 3154]
Don’t Ask, Don’t Tell, 1993-1999 [2] [OA/ID 3154]
Don’t Ask, Don’t Tell, 1993-1999 [3] [OA/ID 3154]
Don’t Ask, Don’t Tell (2000) [1] [OA/ID 3154]
Don’t Ask, Don’t Tell (2000) [2] [OA/ID 3154]
Don’t Ask, Don’t Tell (2000) [3] [OA/ID 3154]
Box 10
Gays in the Military, 1993-1999 Part II [1] [OA/ID 3154]
Gays in the Military, 1993-1999 Part II [2] [OA/ID 3154]
Gays in the Military, 1993-1999 Part II [3] [OA/ID 3154]
Gays in the Military, 1993-1999 Part II [4] [OA/ID 3154]
National Security Council
Defense Policy and Arms Control
Bell, Robert
Gays in the Military, March 1993 [1] [OA/ID 739]
Gays in the Military, March 1993 [2] [OA/ID 739]
Peterman, David / Beardsworth, Richard
Don’t Ask, Don’t Tell Binder [1] [OA/ID 3480]
Box 11
Don’t Ask, Don’t Tell Binder [2] [OA/ID 3480]
Don’t Ask, Don’t Tell Binder [3] [OA/ID 3480]
Don’t Ask, Don’t Tell Binder [4] [OA/ID 3480]
Don’t Ask, Don’t Tell Binder [5] [OA/ID 3480]
Pimental, Betsy / Bolton, Edward
DADT [Don’t Ask, Don’t Tell] [1] [OA/ID 2902]
DADT [Don’t Ask, Don’t Tell] [2] [OA/ID 2902]
Legal Advisor
Derosa, Mary
Don’t Ask / Don’t Tell [OA/ID 3408]

Gays in the Military [OA/ID 3407]
Office of Press and Communications
Crowley, Philip J. (PJ)
Don’t Ask / Advocate [OA/ID 4153]
Fallin, James / Stockwell, David
[Don’t Ask / Don’t Tell] [OA/ID 3109]
Public Liaison
Fine, Deborah
Gays in the Military [OA/ID 5098]
Herman, Alexis
[Background Materials in Support of Lifting the Ban on Gay Men and Lesbians in the Military] [binder] [OA/ID 2651]
Box 12
Gays in the Military [binder] [1] [OA/ID 2651]
Gays in the Military [binder] [2] [OA/ID 2651]
Gays in the Military [binder] [3] [OA/ID 2651]
Lin, Chris
Gays in the Military [OA/ID 5145]
Moore, Minyon
Gays in the Military [OA/ID 13341]
Potter, Julien
DA / DT [Don’t Ask, Don’t Tell] [1] [OA/ID 21280]
DA / DT [Don’t Ask, Don’t Tell] [2] [OA/ID 21280]
DOD [Department of Defense] Policy on Gay Conduct [OA/ID 18042]
Gays in the Military [OA/ID 18042]
Gays in the Military Policy: Court of Military Appeals [OA/ID 18042]
Public Liaison
Potter, Julien
Gays in the Military Policy: Court of Military Appeals: Gays in Military [OA/ID 18042]
Box 13
Public Liaison
Potter, Julien
HRC [Human Rights Campaign] – SLDN [Servicemembers Legal Defense Network] – Gay / Mil [Military] [OA/ID 21280]
Valdez, Suzanna
Church Groups in favor of lifting ban on Gays in the Military [1993] [OA/ID 4268]

Gays in the Military [OA/ID 4019
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Cables
Jan 1995-Dec 1996 [OA/ID 510000]
[Don’t Ask, Don’t Tell, Gays in the Military]
[05/10/1995]
Jan 1999-Dec 2000 [OA/ID 530000]
[Don’t Ask, Don’t tell, Gays in the Military]
[07/20/1999 – 03/24/2000]
NSC Email
A1-Record (Jan 93-Sept 94) [OA/ID 570000]
[Don’t Ask, Don’t Tell, Gays in the Military]
[09/02/1993 – 01/07/1994]

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