

LO Post

President To Accept HIV Ban

Defense Bill Also Limits Abortions

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President Clinton has agreed to sign a \$265 billion defense bill even though it would force discharge of service members who have the AIDS virus and would prohibit military hospitals from performing some abortions, two reasons he vetoed an earlier version of the bill.

The Defense Department, which opposed both measures but nonetheless urged Clinton to accept the bill, said there are 1,049 male and female service members who would have to be discharged within six months under the new law.

Under the measure, sponsored by Republican conservatives, those discharged would not receive some valuable medical benefits available to other military personnel forced to leave the service for medical reasons.

All the individuals are able to perform their jobs, and they include senior officers, lawyers, generals' aides, Pentagon financial officers, computer specialists, intelligence officers, missile specialists, clergy members, doctors, mechanics, trainers, cryptologists and others.

The Defense Department currently treats individuals who test positive for HIV, the virus that causes AIDS, like any other service mem-

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ber with a chronic but not debilitating illness such as asthma, cancer or heart disease. They are no longer permitted to be sent overseas or into combat, and are separated or retired when they can no longer perform their jobs.

Most HIV-positive personnel now would qualify to receive full medical benefits and tax-free disability pay when they leave the service—benefits most would lose as a result of the bill.

They would, however, retain most Veterans Administration medical privileges.

The Defense Department does not accept recruits who test positive for HIV and periodically test all service members for the disease. About 20 percent of the "undeployable" military personnel are HIV-positive. The rest suffer from other illnesses. In an increasing number of cases, people with HIV live for 10 years before they show signs of AIDS.

President Clinton, who won election with support from much of the gay community, strained relations with the military early on by overturning the ban on gays in the service. His decision to sign the defense bill, however, has alienated much of that community.

"He has bargained away people's

lives for the defense bill," said Steve Michael, a spokesman for ACT-UP, a gay rights organization. "He knows better. He may save a few lives in Yugoslavia but he's thrown away hundreds in the military."

"I am disappointed with him because he ran on the promise he was going to make the military equal for everybody," said Shirley Lewis with the Henry M. Jackson Foundation, a private group that researches AIDS in the military.

The provision was sponsored by Rep. Robert K. Dornan (R-Calif.), a presidential aspirant and former fighter pilot who said service members with HIV are an undue financial and personal burden on their fellow service members, because they are excluded from combat and other jobs, and are unable to give blood in emergencies.

He said yesterday in an interview that most if not all HIV-positive people in the military are "drug users,

people who visited whorehouses or homosexuals," and that they are "a politically protected group" because of their campaign donations to Clinton.

Patricia Fleming, the White House director of AIDS policy, said yesterday she would "do everything I can to protect the benefits of people leaving the military" but she could not say what that might be. "I

am very concerned" about the provision, she said, "but I do understand the necessity for the president to sign the legislation."

Pentagon spokesman Kenneth Bacon called the provision "troublesome" and said the department "may ask for it to be changed in other legislation."

The legislation, which is the defense authorization bill, also would prohibit overseas U.S. military facilities from performing privately financed abortions except in cases of rape or incest or to save the mother's life. In 1994 there were three abortions performed in such facilities, all to save the mother's life, a Pentagon spokesman said.

Bacon said the administration's three big complaints with the original bill, which Clinton vetoed in December, had been satisfactorily resolved. No longer included are missile defense provisions that would threaten a treaty with the Russians; restrictions on placing U.S. troops under United Nations command; and a requirement that the president get approval from Congress for military deployments overseas.

The House already has approved the revised bill, and congressional sources predicted easy passage in the Senate, possibly today. It would then go to Clinton for signing.