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**Statement of William B. Rubenstein, Director  
ACLU National Lesbian and Gay Rights Project**

For IMMEDIATE RELEASE  
December 22, 1993

Contact: Kathy Parrent or Phil Gutis  
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"The American Civil Liberties Union and Lambda Legal Defense and Education Fund will challenge in court the constitutionality of Congress's new law on gays in the military and the regulations issued today by the Clinton Administration to implement that law.

"The ACLU's challenge to the new law and regulations will renew our earlier claim against President Clinton's 'Don't ask, don't tell' policy in a new lawsuit to be filed within the coming weeks. The earlier lawsuit was dismissed by the plaintiffs after Congress passed its law superseding President Clinton's policy.

"We believe the new law and regulations are unconstitutional because they continue to judge service members according to their sexual orientation and not according to their ability. The Constitution guarantees each American citizen the right to be judged according to his or her contributions to society and not to be pre-judged, as the statute and these regulations do, because of sexual orientation.

"Ultimately, it will be the court system that will be forced to determine American policy in this area because the politicians have developed policy based on prejudice rather than reason."

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