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Election '96

Presidential
hopefuls on
key issues,
at a glance

Presidential hopefuls on key issues, at a glance	JOB	FAMILY	EDUCATION	AIDS		
	Legal protec- tion from job discrimina- tion	Legal recogni- tion of same- sex marriage	Accurate and positive men- tion of homo- sexuality	Legal protec- tion against HIV bias in various arenas	Increases in AIDS funding proportion to caseload	
	Clinton	endorsed	opposes	NS	mixed	supports
	Dole	not co-sponsored	NS	opposes	opposes	mixed
	Gramm	not co-sponsored	would oppose	opposes	opposes	maintain current
	Lugar	not co-sponsored	NS	mixed	mixed	maintain current
	Dornan	opposes	opposes	opposes	opposes	mixed
	Alexander	opposes	NS	NS	NS	maintain current
	Buchanan	opposes	opposes	opposes	opposes	maintain current
	Forbes	NS	opposes	NS	NS	NS
Keyes	opposes	opposes	opposes	NS	NS	

NS— No statement or action on which to base position or statements don't clearly reflect where he stands

THE WASHINGTON BLADE 2/2/96 at 1



18 states considering ban on Gay marriage

Measures win partial approval in two states

by Lisa Keen

Nine more state legislatures were added to the list this week of those considering bills to ban same-sex marriages, bringing to 18 the number of states where the battle over recognition of same-sex marriages has materialized.

In a move against the trend, a legislator in Nebraska introduced a measure to stipulate that a marriage "shall not be void because both parties are of the same sex."

The nine new states where legislators introduced or announced they would soon introduce bills to ban same-sex marriage are: Alabama, Colorado, Georgia, Illinois, Iowa,

Nebraska, New Mexico, Rhode Island, South Carolina, and Tennessee.

Last week, the *Blade* reported that such bills had been introduced in six states: Alaska, California, Hawaii, South Dakota, Virginia, and Washington.

In addition to those, a ballot initiative is expected to put the issue before voters in a seventh state, Oregon, in November.

A bill was introduced in Maine but withdrawn Jan. 24.

Meanwhile, this week, the lower chambers of two states — California and South Dakota — voted to approve their anti-mar-

Continued on page 25

18 states consider ban on same-sex marriage

Continued from page 1
riage measures.

Two votes lost

In California Wednesday, the Republican-controlled Assembly voted 41 to 31 in favor of AB 1982, a bill which stipulates that "A marriage contracted outside this state between individuals of the same gender is not valid in this state." The vote was largely along partisan lines, with 38 of the 41 yes votes coming from Republicans.

Ellen McCormick, a spokesperson for the state's Gay lobby, LIFE, said activists feel they have a chance of defeating the measure in the Senate. There, she noted, Democrats control the majority (21 of 40 votes) and the Senate leader, Bill Lockyer, has "stated publicly that he is committed to stopping this bill."

"We intend to really work with him to make sure that, if this bill makes it out of committee," said McCormick, "we'll go after every single senator's vote."

In South Dakota on Tuesday, the House passed its bill to specify that marriage is "between a man and a woman." The bill was originally tabled in a House committee, but supporters of the measure used a parliamentary procedure to force it to the floor. The Republican-controlled House then voted 49 to 18 to approve the legislation. The bill now moves to the Senate where Republicans hold a one-vote majority.

Evan Wolfson, head of Lambda Legal Defense and Education Fund's Marriage Project, said yesterday he believes the bills in California and South Dakota can be defeated because the senators in both states are "stronger" on pro-Gay issues and because "activists on the front lines in both of those states believe they can mount a good fight."

"But if people do not now write letters and seek allies," he said, "then we will lose those votes."

Wolfson said he is "not surprised" at the number of bills cropping up to try to ban recognition of same-sex marriage. He has been traveling around the country for two years asking Gay activists to organize public education and build

S.F. permits same-sex couples to 'wed'

Gays praise bill while religious right assails it as a 'freak thing'

SAN FRANCISCO — The San Francisco Board of Supervisors unanimously passed an ordinance Monday that will allow the San Francisco county clerk to perform wedding ceremonies and issue certificates of marriage to same-sex couples.

"San Francisco is once again illustrating that this is a humane, compassionate, and equal-opportunity city for all who live here," Supervisor Carole Migden, author of the legislation, told reporters.

The Jan. 29 vote, 9-0, will permit same-sex couples who pay a \$30 fee to register as domestic partners and then pay an additional \$35 fee to have a civil ceremony performed by the city clerk.

The civil ceremony would be entirely symbolic and would hold no legal weight. Only the state has the authority to decide who can be legally married.

San Francisco's domestic partners ordinance went into effect on Feb. 14, 1991. Since then, more than 3,000 couples, the majority of them same-sex, have registered their relationships with the city. That ordinance gave the participants hospital visitation rights should one fall ill, and the option to share a health plan, if one of the partners is a city employee.



Carol Migden: "This legislation will allow domestic partners, Lesbians, Gays, and others to formalize their relationships with a civil ceremony."

In San Francisco, if a couple wants to be married in a setting more personal than City Hall, the ceremony can be performed in a church. Same-sex couples would receive the same certificate that heterosexuals receive in their civil wedding ceremonies.

The new San Francisco ordinance was condemned in a statement by Lou Sheldon of the Anaheim, Calif.-based Traditional Values Coalition. Sheldon is a supporter of Rep. Pete Knight's (R-Palmdale) bill, AB 1982, which would block recognition of Gay marriages. Sheldon said the state had a "vested interest in man-woman relationships." He referred to same-sex marriage as a "freak thing."

"It's not unusual that San Francisco does the freak thing," he said. "I think basically what you have here is a dysfunctional behavior being recognized by the board of supervisors in a ceremonial manner."

The measure is expected to be signed by San Francisco Mayor Willie Brown later this month with the first civil ceremonies scheduled to take place on March 21. At that time, San Francisco will join Madison, Wis., and New York City who have similar legislation on the books.

— Sidney Brinkley

coalitions in support of legal recognition of same-sex marriages.

Lambda's Marriage Project was formed to lay the groundwork for an expected legal victory in Hawaii. That's where three Gay couples filed suit for marriage licenses, and the Hawaii Supreme Court ruled in 1993 that the state cannot deny marriage licenses to them unless it can demonstrate some compelling governmental need to do so. A trial, giving the state an opportunity to demonstrate such a need, is scheduled for July 15. Wolfson's plan has been to have activists educate the public on the need for Gay couples to marry so that when the court forces Hawaii to grant

same-sex marriage licenses, legislatures in other states will be less likely to pass laws trying to ban recognition of those marriages in their states.

But clearly state legislatures are not waiting until 1997 when the Hawaii case will probably have wound its way to the finish line.

Last year, three states considered bills to ban recognition of same-sex marriages — Utah, South Dakota, and Alaska. Only Utah approved it.

This year, 18 states have the issue on their agenda; the bill in Maine was withdrawn and the bill in Nebraska is to recognize same-sex marriages. The issue in the remaining 16 states will likely be

hammered out over the next few months.

Wolfson said he attributes the increased number of states considering such measures to the work of "right-wing extremists who are going to try to shut down public discussion of this issue before we engage the American people in it."

"Our goal," he said, "has to be to keep the discussion open. There will be setbacks and victories, but our goal has to be to keep fighting." ▼

Rebecca D. Murphey, Wendy Johnson, and Christopher Jones contributed to this report.

THE GAY WEEKLY OF THE NATION'S CAPITAL

gton Blade

Republican hopefuls attack Gay marriage

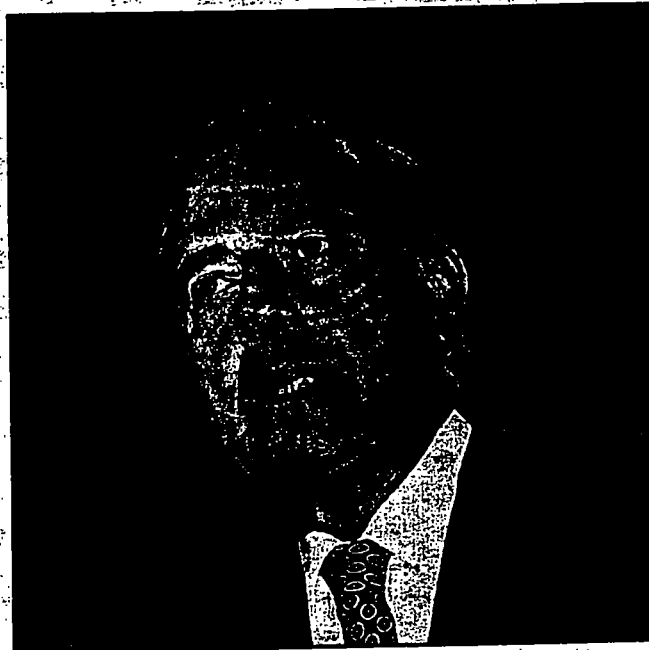
Dole: resolution 'does not go far enough'

by Lisa Keen

With a reproach against a "false god of Gay rights" and an ominous suggestion that they are ready to use "aggressive tactics," the religious right elements of the Republican Party cast a hail of stones against same-sex marriage Saturday night.

In a nationally televised forum which attracted a throw of support from all but one of the eight Republican presidential candidates, the leader of a prominent radical right group called the debate over recognition of same-sex marriages "the most important issue on our docket" and announced a campaign to launch a concerted effort "in every state" to fight them.

At the "National Campaign to Protect Marriage Rally," hosted by at least six national right-wing groups,



Bob Dole said today's "social ills" are "directly linked with the collapse of the two-parent family."

every Republican presidential candidate except Sen. Richard Lugar endorsed — either in person or through a letter — a resolution condemning same-sex marriage.

The resolution said: "Whereas marriage is an essential element in the foundation of a healthy society, and whereas government has a duty to protect that foundation, resolved: the

Continued on page 25

Republican hopefuls assail same-sex marriage

Continued from page 1

state should not legitimize homosexual relationships by legalizing same-sex 'marriage' but should continue to reserve the special sanction of civil marriage for one man and one woman as husband and wife."

While all the other candidates, including Democratic President Clinton, had already made statements opposing legal recognition of same-sex marriage, the endorsements Saturday night from Republican front-runner Sen. Bob Dole and former Tennessee Gov. Lamar Alexander staked out their positions for the first time.

Gay activists seemed surprised not so much by the endorsements of the resolution as by the degree of hostility expressed against Gay people during the televised forum.

Dole, in a letter read to the forum, said he "fully supports" the resolution and added that "it does not go far enough." Dole suggested the resolution "should promote" heterosexual marriage by providing tax incentives to married couples and tax credits for those couples who produce children. He said today's "social ills" are "directly linked with the collapse of the two-parent family." Dole won Monday's caucus in Iowa, taking the votes of 26 percent of the people who attended the precinct caucuses across the state.

Commentator Patrick Buchanan, who came in second with 23 percent of the vote, addressed the anti-Gay rally in person. To an audience estimated at between 2,000 and 3,000 people, he repeated his notorious 1992 convention call for a "cultural war," this time describing it more specifically as a fight against the "false god of Gay rights."

"There is no equal rights," he said, "between what is sanctified by god and what is morally wrong." He said any pro-Gay bill from Congress that reached him as president would be "dead on arrival when it comes to the Oval Office."

Two other Republican candidates showed up in person to endorse the anti-Gay resolution: Texas Sen. Phil Gramm (who took only nine percent of Monday's

In the campaign, but not the cabinet

Pat Buchanan, one of the Republican field's most virulently anti-Gay candidates, said Sunday that he would not appoint an "out-of-the-closet homosexual" to a position in his cabinet. But a few minutes later, he said he has such "openly homosexual" people working in his campaign.

Buchanan made his statements in response to questions from reporter Tim Russert on *Meet the Press* Feb. 11.

Specifically, Buchanan said: "I doubt if I would appoint someone who was an out-of-the-closet homosexual who declared that he believed that homosexuality was a legitimate lifestyle and was engaged in that lifestyle — he would not be appointed to a high appointive position in the Buchanan administration."

Russert pursued.

"Millions of Americans who happen to be Gay," said Russert, "who want to participate in the American political process — what are they hearing from Pat Buchanan today? 'It's OK to participate as long as you don't tell people you're Gay or act on your Gayness?'"

"No," said Buchanan. "There are many people — there are not many. There are several people in my cam-



Pat Buchanan said he has "openly homosexual" people working in his campaign.

paign, supporting me openly, who are openly homosexual. Openly. And they've been, quote, 'outed,' or whatever they call it. And I welcome the support of those people. I welcome the support of every American; but, I tell

them this: 'Look, I do not believe that is a valid, legitimate, moral lifestyle; period, paragraph.'

The Buchanan campaign office phones were tied up this week, so the *Blade* was unable to ask the campaign to identify these "several people" who have already been "outed."

David Greer, an official with the national Gay Republican group, Log Cabin Republicans, said his group doesn't know who these people are. He also noted that Buchanan first made this claim last fall during the controversy over the Log Cabin contribution to Bob Dole.

In another spectacular Iowa irony, California Rep. Bob Dornan, who is considered perhaps the most hostile of the Republican field towards Gay people, did not attend Saturday's forum even though he originally said he would. According to unconfirmed reports, Dornan said, in conversations with members of People for the American Way in Iowa, that he changed his mind. He said at first he understood the forum was a "pro-family" event. When he learned it was an anti-Gay event, said the reports, he decided it was "too hateful."

—Lisa Keen

vote and dropped out of the race this week) and talk show host Alan Keyes. Both men had already staked out positions opposing recognition of same-sex marriage.

In addition to Dole and Alexander (who made an unexpectedly good third place showing, with 18 percent of the vote), publisher Malcolm "Steve" Forbes (who made an unexpectedly poor showing in fourth, with 10 percent) sent his support in writing. Forbes's letter was signed by his campaign manager; but, the *Des Moines Register* reported Sunday that the Forbes campaign said Forbes has

signed the resolution.

California Rep. Bob Dornan (who took zero percent of Monday's vote) was not mentioned during Saturday's forum and did not attend. However, Dornan, like Buchanan, has a well-established record of opposing anything pro-Gay, including legal recognition of same-sex marriage. He reportedly issued a statement of support for the anti-Gay marriage resolution earlier in the day Saturday.

Now, the only candidate who has not opposed legal recognition for same-sex marriage is Lugar. Though his camp has not offered any indication of where he does stand, Log Cabin Republicans Executive Director Rich Tafel applauded Lugar for showing "real integrity by refusing to participate in what was nothing more than a gay-bashing event."

Tafel, in a statement issued Monday, said the forum was a "sign of danger ahead for the Republican party."

"We're sliding toward a repeat of the Houston convention in 1992," said Tafel, "unless the party leadership is willing to stand up and do something to stop it."

Many agreed with Tafel's characterization of the Saturday night forum; some went even further.

"It was the most insidious attack against the lives of Gay and Lesbian people in the history of presidential politics," said Human Rights Campaign spokesperson David Smith.

Bill Crews, a lifelong Republican and the openly Gay mayor of Melbourne, Iowa, said Saturday's forum "broke new ground for political pandering."

HRC's Smith, whose organization helped organize a counter rally outside,

watched the "Protect Marriage" forum inside the First Federated Church in Des Moines.

Smith said activists have expected for some time that the radical right would aggressively oppose recognition of same-sex marriage.

"This," he said, "was a sort of national unveiling of the right-wing strategy. It was a steamroller we knew was going to take place. Now, the evidence is there."

Jay Sekulow of the American Center for Law and Justice told the forum Saturday night that his group considered opposition to same-sex marriage as "the most important issue on our docket." He said his group would launch opposition to legal recognition "in every state," and he promised the campaign would use "aggressive" tactics, akin to those used by Operation Rescue in antiabortion efforts. Although he said he didn't mean his remarks to be taken as a "threat," Sekulow added, nonetheless, that "one never knows."

Saturday's forum, just two days before the Iowa caucuses, was sponsored by six national right-wing groups: the Christian Coalition, the Traditional Values Coalition, Concerned Women of America, the Eagle Forum, the American Family Association, and The Report. It was broadcast live on C-SPAN. On the stage were about a dozen prominent anti-Gay activists, including Lou Sheldon, head of the Traditional Values Coalition; Will Perkins and Kevin Tebedo, who headed the Colorado for Family Values campaign for the anti-Gay initiative Amendment 2; and Phil Burress who headed an

Continued on page 27



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Gay marriage attacked

Continued from page 25
anti-Gay initiative effort in Cincinnati.

Bill Horn, Midwest regional director for the anti-Gay publication *The Report*, emceed the forum and is executive director of the new "National Campaign to Protect Marriage." He and others said the campaign was triggered by a lawsuit in Hawaii to gain legal recognition for same-sex marriage. The lawsuit, filed by three Gay couples, is expected to lead to legal recognition sometime in 1997. (A state district court trial in the case, scheduled for July 15, has been postponed for technical reasons to Aug. 1 of this year.)

The same-sex marriage fight has now materialized in at least 21 states. Last year, only three states considered bills to ban legal recognition of same-sex marriages. Of those, only Utah's passed. This year, an initiative that would ban recognition of same-sex marriage is expected to reach the ballot in Oregon in November. In addition to the actions in Utah and Oregon, bills to ban, or in one state support, recognition of same-sex marriage have been introduced in legislatures in 19 other states, and a bill is expected soon in Wisconsin. (The bills in Virginia and Alaska have been killed in committee.)

Other campaign news

In other presidential campaign news this week:

- Forbes was widely reported to have been upset late last week over an alleged anonymous phone campaign which he said misrepresented his position on Gays in the military. Forbes accused the Dole and Buchanan campaigns of distorting his position as being in support of the current "don't ask/don't tell" policy. That policy allows Gays to serve as long as they don't engage in sex with a person of the same sex and don't identify themselves as Gay to anyone. Forbes said his position is that he would do whatever military leaders said he should do on the issue. Forbes's campaign manager, Bill Dall Col, told the *Des Moines Register* that "Under the current military-supported policy, if a homosexual is found, they are immediately discharged. Mr. Forbes supports that position."



by Clint Stalb

Pro-Gay Republican Gov. William Weld of Massachusetts endorsed Bob Dole

- Dole, according to the *Des Moines Register*, was endorsed last month by Ione Dilley, head of the Iowa Christian Coalition.

- pro-Gay Republican Gov. William Weld of Massachusetts has endorsed Dole, as has anti-Gay Republican Gov. George Allen of Virginia;

- Openly Gay Melbourne, Iowa, Mayor Bill Crews was one of 10 delegates chosen from his precinct caucus to advance to the county caucuses next month. The irony, noted Crews, is that he wore a pro-Clinton button to the caucus and has no intention of voting Republican in November.

- turnout to the Republican precinct caucuses in Iowa was much smaller than expected — only 100,000 instead of the 130,000 projected. Some political observers say that may spell problems for Republican voter turnout in November;

- the Christian Coalition said this week that it is distributing 22 million copies of its voter guides in primary states;

- In an interview with *Meet the Press* Sunday, Buchanan said he would "try to outlaw" RU-486, a pill, not yet approved in the United States, which can induce abortion. The pill has also shown promise in treating advanced breast cancer, a disease which, for a number of reasons, some Lesbians are more prone to than most women. ▼

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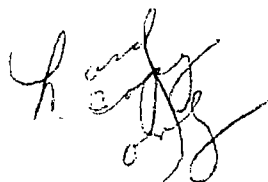
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Atlanta Appeals Court Upholds 'Marriage' Right of Gay Woman

Decision Adds to an Emerging Body of Case Law

By Joan Biskupic
Washington Post Staff Writer

A federal appeals court in Atlanta has ruled that a woman who lost a job offer at the Georgia attorney general's office because she was about to "marry" another woman was denied her constitutional rights.

The 11th U.S. Circuit Court of Appeals said late Wednesday that Robin Joy Shahar had a fundamental right under the First Amendment to an intimate association with another woman and could not be denied a job solely on the basis of her choice of marriage partner. But the court panel also sent the case back to a lower court to see if the state could demonstrate a "compelling" governmental interest to override Shahar's rights. That is a difficult test to meet, but the state said yesterday it would appeal the ruling.

The suit, which arose in 1991 after Shahar announced she was marrying Francine Greenfield, adds to an emerging body of case law on rights of gay men and women.

The legal status of gay marriages was not the issue. But Ruth Harlow of the American Civil Liberties Union, who represented Shahar, noted "the court . . . showed great respect for a highly personal, primary relationship, even if it is not recognized legally." The ruling by the 11th Circuit, covering Georgia, Alabama and Florida, was the first decision by an appeals court that gay people have the same right of intimate association as heterosexuals.

Nationwide, judges are weighing the constitutional rights of homosexuals and lesbians in a variety of contexts. The issue has arisen in bias complaints such as Shahar's, in challenges to the Pentagon's "don't ask, don't tell" policy restricting homosexuals in the military, and over local governments' efforts to shield gay people from discrimination or to make sure they get no special protection.

The Supreme Court is expected to rule this spring on the constitutionality of a Colorado law that prevents cities from passing anti-discrimination ordinances based on sexual orientation.

In the Georgia dispute, a three-judge appeals panel said a district court should determine whether Attorney General Michael J. Bowers can show a compelling governmental interest that overrides Shahar's right of association.

That is the strictest legal test and in this case would require the state to prove that work in Bowers's office would be disrupted or public safety endangered because of Shahar's relationship.

Shahar was a law clerk in the attorney general's office in 1990. After she graduated from Emory Law School, Bowers offered her a full-time job.

In withdrawing the offer, he said, "Inaction on my part would constitute tacit approval of this purported marriage and jeopardize the proper function of this office." Shahar eventually was hired by the city attorney's office in Atlanta.

Perry Michael, executive assistant attorney general, said yesterday, "We think the court's decision is clearly erroneous. I don't know of any other case that has gone this far" in protecting interests of homosexuals.

Michael said the state was still weighing yesterday whether to ask for a hearing by the full court of appeals for the 11th Circuit or appeal directly to the Supreme Court. Georgia has no law forbidding same-sex marriages, but it does not recognize them as valid and outlaws sexual relations between people of the same sex.

Shahar, who married Greenfield in a synagogue affiliated with the Reconstructionist movement of Judaism, said yesterday, "I am ecstatic. An employer should evaluate an employee based on work experience."

The appeals court said Shahar had been known as Robin Brown until the wedding when she and Greenfield changed their names to Shahar, "which refers to being in search of God."

In finding the relationship deserved highest constitutional protection, the appeals court said Shahar's "marriage" was highly personal in terms of affection and commitment and "inextricably entwined with Shahar's exercise of her religious beliefs."

All three of the judges on the panel, John C. Godbold, Phyllis A. Kravitch and Lewis R. Morgan, agreed Shahar's right to intimate association had been infringed. Godbold and Morgan said the state could prevail only if it proved a compelling governmental interest. Kravitch dissented, saying the government should not have to face such a tough standard.

CORRECTIONS

An article yesterday in Metro incorrectly described Delores Kelley as a Maryland delegate. She is a state senator.

Based on information provided by the Associated Press, an item in yesterday's Business section incorrectly reported the coupon interest rate on two-year Treasury notes auctioned Wednesday. The rate was 5.25 percent.

Georgia Official Told to Defend Canceling Job Offer to Lesbian

By RONALD SMOTHERS

ATLANTA, Dec. 21 — A Federal appeals court panel has ordered the Attorney General of Georgia to defend his withdrawal of a job offer to a lesbian who participated in a religious "commitment" ceremony with her female partner.

The ruling late Wednesday, by a three-judge panel of the United States Court of Appeals for the 11th Circuit, ordered the Attorney General, Michael J. Bowers, to show why the withdrawal was not a violation of the woman's constitutional rights.

The ruling reversed a 1993 lower

court ruling dismissing the claim made by the lesbian, Robin Shahar, a lawyer who was first offered the job by Mr. Bowers in 1991. It paves the way for a possible trial on the issue, one in which the panel said the Attorney General would have to meet the difficult test of showing that there was a "compelling governmental interest" in withdrawing the job offer.

In so doing, the court would require the state's top legal officer to meet the same "strict scrutiny" standard that other Federal courts have demanded of state legislatures to justify the the abridging of someone's right to free speech. It is the

highest level of proof required in cases involving fundamental constitutional rights, and defendants must show there was no other less intrusive action they could have taken.

Perry Michael, Executive Assistant Attorney General, said Mr. Bowers was disappointed in the ruling and would seek further review of it, either by the full appellate court or the United States Supreme Court.

The Attorney General's office had argued that hiring Ms. Shahar could erroneously signal state sanction of same-sex marriages. The office also maintained that hiring her would complicate its enforcement of state

sodomy laws, which the Supreme Court has upheld in a case that Mr. Bowers successfully argued.

At the core of the panel's ruling was the finding that Ms. Shahar and her partner, Fran Greenfeld, had "the fundamental right of intimate association" free of government intervention under the Constitution. The court found it significant that the two women had signaled their commitment to each other in a "private religious ceremony" performed by a rabbi of the Reconstructionist Movement of Judaism.

"Though the religious-based marriage in which Shahar participated

was not marriage in a civil, legal sense, it was intimate and highly personal in the sense of affection, commitment and permanence," wrote Judge John C. Godbold in the panel's unanimous decision. "And as we have spelled out, it was inextricably entwined with Shahar's exercise of her religious beliefs."

The other members of the panel were Judge Phyllis A. Kravitch and Judge Lewis R. Morgan.

Ms. Shahar said today that she was thrilled with the ruling, especially "the extremely respectful way in which they talked about Fran and me and our ceremony."

Ms. Shahar, now an assistant city attorney, had worked summers while in law school in Mr. Bowers's

office. In her senior year, shortly before she graduated sixth in her class at Emory University Law School, Mr. Bowers offered her an entry level job in his office, only to withdraw it some months later when he learned of her plans to formalize here longtime relationship with another woman in a religious ceremony to be held in another state.

Ruth E. Harlow, associate director of the American Civil Liberties Union's Lesbian and Gay Rights Project, who represented Ms. Shahar, said that the ruling was significant because it was one of the first cases in which the court was ordering "careful consideration" of the constitutional rights of gay men and lesbians.

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THE WASHINGTON POST
FRIDAY, DECEMBER 22, 1995

Atlanta Appeals Court Upholds 'Marriage' Right of Gay Woman

Decision Adds to an Emerging Body of Case Law

By Joan Biskupic
Washington Post Staff Writer

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The suit, which arose in 1991 after Shahar announced she was marrying Francine Greenfield, adds to an emerging body of case law on rights of gay men and women.

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CORRECTIONS

An article yesterday in Metro incorrectly described Delores Kelley as a Maryland delegate. She is a state senator.

Based on information provided by the Associated Press, an item in yesterday's Business section incorrectly reported the coupon interest rate on two-year Treasury notes auctioned Wednesday. The rate was 5.25 percent.

THE REGULATORS

Out With the Outdated

The FTC Sees a Window of Opportunity to Toss Some Rules

By Cindy Skrzycki
Washington Post Staff Writer

Elaine Kolish is one of the Federal Trade Commission's foremost authorities on the rules on the books, and she's charging ahead to take many of them off the books.

As acting associate director of the Division of Enforcement for the FTC's Bureau of Consumer Protection, Kolish has more than a passing familiarity with the hundreds of regulatory actions the commission takes every year—right down to its plumbing rule that mandates that manufacturers of residential and commercial toilets and urinals disclose in their labeling and promotions how much water goes into every flush.

(Kolish can recite that it's 1.6 gallons per flush, residential; 3.5 gallons, commercial; and 1 gallon for urinals. The rule also covered gallons per minute for shower heads and faucets.)

A closet cleaner by nature, she is helping direct one of the FTC's biggest regulatory housecleaning initiatives ever. The FTC hopes to repeal 25 percent of its trade regulation rules and 25 percent of the "guides" it issues, legally nonbinding advice to companies to keep them out of trouble with the commission.

Unlike many federal agencies that vow to eliminate old rules but never quite get around to doing much, the FTC is throwing out with abandon, targeting a variety of regulations that either have outlived their time or have been surpassed by technology or duplicative state laws.

"We come to this rule review stuff a little bit differently," said Elleen

See THE REGULATORS, D3, Col. 1

THE REGULATORS, From D1

Harrington, associate director for marketing practices in the Bureau of Competition. "Everyone here has a strong cost-benefit orientation. We've been reviewing rules right along, but we've upped the pace. The goal is to have everything . . . current, useful and relevant."

As a step in that direction, the commission gave notice on Wednesday that it was banishing six rules that at one time probably made a lot of sense to the "Leave It to Beaver" generation but now seem pretty silly. Out the window are rules governing disclosures on sleeping bags, tablecloths, extension ladders, binoculars, frosted cocktail glasses and fiberglass curtains.

For example, the frosted cocktail glass rule—formally known as the Quick-Freeze Spray Rule—required warning that misuse of the spray could cause death or injury. These products are not made anymore. Similarly, have you seen fiberglass curtains lately?

Actions such as these can sometimes take years, but the FTC moved at warp speed (for a regulator) and had the six rules reviewed and eliminated in seven months.

The commission also decided to automatically sunset administrative orders that are more than 20 years old and haven't seen much action lately. The first batch of those orders expires Jan. 2, when about 10,000 directives will disappear into thin air.

"If we haven't enforced it, it dies," Kolish said. For example, Dura-Hair International, a hair replacement service, will no longer be under orders to give customers all sorts of disclosure of the pain of surgical hair transplanting.

Under scrutiny are some biggies, such as the franchise rule that governs up-front disclosures to prospective franchisees. And after only three years, the FTC is revisiting its "green guides," which circumscribe what kind of environmental claims companies can make about their products. The commission recently held a two-day workshop to determine if new products and claims warrant changes in the guides.

In proposing new rules as well as reviewing old ones, the FTC is trying to streamline the process. By using workshops and eliminating bureaucratic steps, the agency hopes to come up with rules that are informed and current, narrowing disagreements between parties before the rule is proposed. "We want the same generation of participants at the beginning as at the end," Harrington said.

The idea, Harrington said, is to keep ahead of the regulatory reform curve.

Indeed, on the cover page of the FTC's regulatory reform report to the White House is a quote from hockey

great Wayne Gretzky: "I don't skate to where the puck is. I skate to where it's going."

HARK, the Herald Federal Communications Commission sings!

The FCC staff came up with "Good Chairman Reed Hundt," sung to the tune of "Good King Wenceslas":

*"Good Chairman Reed Hundt looked out
on the TV wasteland.*

Where is children's programming?

Advisors he did ask them.

It is gone, they said to him

replaced by power rangers,

mutant ninja tur-turles too,

no more Mister Rogers.

Bring it back, he said to them.

We have lots of power.

If they want renewal

they must give three hours.

Out his minions they did go

to all of the networks.

You must do a better job

of educating children.

Oh the networks, they did quake

shiver, fret and worry.

How could they ever compensate

for programming so boring.

Then they had a clever thought,

it would be so easy.

Air it in the early morn

when no one's up and wa-atching.

Now the Chairman, he feels great

he has served the public.

And the networks feel good too,

they have kept their ratings.

So do all the chil-ildren,

they still watch the weird stuff.

The ACLU still feels bad

about the First Amen-endment.

OUT FOR COMMENT: Who says it isn't a good deal working for government these days? The General Services Administration says it has negotiated 50 percent discounts on air fares for federal employees (for example, Washington-to-California round-trip air fares on American Airlines out of Dulles Airport are \$242) and agencies can lease four-door sedans for \$136 a month, plus 11 cents a mile. Of course, you have to be working to get the cheapo rates. . . .

Same-sex marriage debated in 18 states

Georgia, Washington lawmakers OK bills

by Lisa Keen

The House chambers in the Georgia and Washington legislatures overwhelmingly approved bills this week to limit legal recognition of marriage to heterosexual couples only.

The lower chambers in two other states — California and South Dakota — approved similar measures late last month.

Bills to either ban legal recognition of same-sex marriage or limit recognition to heterosexual couples have now been introduced in at least 18 states, and Wisconsin is expected to get a bill soon. In addition, a bill in the Nebraska legislature seeks to provide legal recognition to same-sex marriages.

And in Oregon, an initiative that seeks to ban recognition of same-sex marriage is expected to reach the ballot in Oregon in November.

Last year, only three states considered bills to ban legal recognition of same-sex marriages. Of those, only Utah's passed.

The Georgia bill, introduced by Republican Rep. Ron Crews, seeks to amend the state marriage law to specify that "Marriage is the union of a man and a woman." It passed the House of Representatives Wednesday on a vote of 135 to 10.

The Washington bill, introduced by Republican Rep. Bill Thompson and

Continued on page 27

Marriage battle escalates

Continued from page 1

cosponsored by at least 15 of his Republican colleagues, adds a new section to the state marriage law to specifically prohibit marriages "When the parties are persons of the same gender."

The new language also stipulates that "A marriage that is valid in another jurisdiction but is prohibited under [the Washington marriage law] shall not be recognized as a valid marriage in this state."

Those two bills now advance to the

state senates. The Georgia senate has 35 Democrats and 21 Republicans. The Washington senate has 25 Democrats and 25 Republicans.

Thus far, bills in three states are considered dead: Maine (where it was withdrawn), Alaska, and Virginia.

In Virginia, a House committee voted 22 to 0 not to consider the bill to prohibit legal recognition in Virginia of any marriage from "another state or country" if the marriage would otherwise be void in Virginia. ▼

The Point

Pundits of all stripes agree on Gay marriage

by Wayne Hoffman

It's a rare occurrence indeed when the *Village Voice* and *Newsweek* find common ground with the *Wall Street Journal* and *The New Republic*. Political journals and op-ed pages are built on controversy and discord, so it's unusual to find voices from the left to the right and everywhere in between nodding in agreement. It's more unexpected when the issue they're discussing is a Gay issue.

That latest shocker comes with the cover story of the Jan. 6 issue of *The Economist*. "Let Them Wed" reads the headline on the British political weekly, a favorite of well-heeled intellectuals in this country. The article makes the case for Gay marriage with economic and philosophical reasons, as well as emotional and religious ones. "For society, the real choice is between homosexual marriage and homosexual alienation," the article reads. "No social interest is served by choosing the latter."

While *The Economist* has covered Gay issues on occasion, the cover story is nearly revolutionary.

"We've never done so with this prominence or comprehensiveness," says Bill Emmott, the magazine's editor. "There is a serious question of equality of a social group before the law and social contracts, and I think discrimination — in this instance against homosexuals — is indefensible. As soon as I had a good article to back up that view, I published it."

Pinning down the magazine's position in the political spectrum isn't easy. Often conservative on defense and economic issues, *The Economist* is sometimes quite radical on issues of social policy and legal reform.

"We see ourselves as coming from the radical center. That's sort of a way of repudiating the left/right divide," says Emmott. Gay marriage as an issue also repudiates this divide, he says; reader response to the cover story has been more negative than positive, but ranging in both cases across the political ideologies in no predictable pattern.

Other publications that normally line up unabashedly on the left or the right are hugging the middle on Gay marriage as well, as the issue continues to confound labels. The *Village Voice*, a left-leaning New York independent weekly, ran a point-counterpoint cover story on Gay marriages this month, but even the anti-marriage piece was the most tepid of rejections, touting the benefits of marriage without official state sanction.

The voices against Gay marriage from all political angles will be abnormally quiet in this debate, says *Village Voice* executive editor Richard Goldstein, who wrote his paper's pro-marriage story. (Goldstein and his lover have promised to fly to Hawaii should that state approve Gay marriages this spring.) Leftists who oppose Gay marriage because they oppose marriage in general, and rightists who oppose Gay marriage because they oppose Gay rights in general, will both keep low profiles for now.

"The left critique of marriage will be made within the community, but when it comes to going on *Nightline*, it won't be made. When push comes to shove, no Gay activist is going to stand up and say you shouldn't be able to do that," says Goldstein. Political convictions can't compete with personal desires, and even left-wing marriage opponents are often personally moved by individual's stories.

The right isn't making much noise either, says



Gold-

stein. Libertarian thinking has gained a foothold in neoconservative forums, and the rabidly homophobic far right is sitting this one out for the time being.

"They've decided that the louder they are about Gay issues, the more demonizing they are, the more marginalizing they are," says Goldstein. "So they're reluctant to go on the warpath about it."

One of the first political journals to address the issue was *The New Republic*; Andrew Sullivan wrote about the conservative case for Gay marriage in 1989. Now the magazine's editor and author of *Virtually Normal*, Sullivan continues to keep Gay marriage debates going in conservative circles. Next month he will run yet another major article in favor of Gay marriage, by author Jonathan Rauch.

"The presence of openly Gay journalists in all of these places has given this issue an extra nudge," says Sullivan. "I also think our endorsing Gay marriage so long ago helped make it a little more part of the central

spectrum of political ideas and legitimized it in some way, for the elite at least."

Sullivan touches on a key issue that may undermine the apparent consensus in favor of Gay marriage: political journals and opinion pages cater to pundits, intellectuals, and policy wonks, but they don't always reflect the pulse of the politicians who claim to represent certain political philosophies. Just because Sullivan can make a strong conservative case for Gay marriage doesn't mean that the Republican Party will buy his logic and put Gay marriage in its presidential platform. It may be a significant element, but opinion journalism is one step too high on the political food chain to determine party agendas and voting patterns.

"I don't think there's a direct correlation," says Sullivan. "I think it's necessary but not sufficient."

There's no guessing what might happen once Gay marriage gets picked up by Congress or this year's presidential candidates, but chances are slim that the across-the-spectrum harmony that has emerged will translate perfectly.

"I've learned one thing in journalism, and that's that you shouldn't predict how politicians will behave," says Emmott. "I would hope it would proceed relatively gently through the political agenda in your county and mine. I hesitate to predict, however, that it will."

Evan Wolfson, an attorney with Lambda Legal Defense and Education Fund, looks at the marriage debate with a far longer lens, refusing to see it in terms of a single election cycle, court case, or political convention.

"This is a chapter of our movement's history in which we are beginning to write on page," says Wolfson, who has advised many journalists as head of Lambda's Marriage Project. "We have undertaken task number one, to reach out to the persuadable middle and ask them to think about a subject they haven't ever had to think about. When they do, many fair-minded people support marriage rights."

The reason political writers of different stripes are all in agreement on this issue isn't that Gay marriage stands above political boundaries, he maintains, but rather that it makes sense within different boundaries for different reasons.

"There are powerful conservative arguments why we should be permitted to marry. There are also powerful anti-sexist arguments, civil rights arguments, and family arguments. We must make all of those arguments, and different arguments will resonate with different people," Wolfson says.

"We need to realize that this public debate is going to happen in 1996, and it's not going to happen in Gay circles. It's going to happen in the mainstream corridors of power and communication across this country," says Wolfson. "This is going to be the Lesbian and Gay issue that brings us home for non-Gay people. The question is, what foot are we putting forward into their living rooms?"

Same-sex marriage looms on political horizon

Like it or not, it's coming. Courts are ruling on it. Legislatures are grappling with it. The mass media is giving it front-page, prime-time treatment. The next great Gay issue, which will probably surpass Gays in the military in political *sturm und drang*, is likely to be same-sex marriage.

Hastings Wyman Jr.

It started in Hawaii in 1993, when Ninia Baehr and Genora Dancel applied for a marriage license. Since then, the issue has been in and out of courts and legislatures. Male couples applied for marriage licenses — unsuccessfully — in Washington, D.C. and Ithaca, N.Y. In Georgia, a three-judge federal panel ruled in favor of a Lesbian fired from the state attorney general's office because she was marrying another woman. The judges ruled that the First Amendment granted her a "fundamental right of association."

The media reaction to these and similar cases is hot and getting hotter. In Honolulu, newspaper commentaries about same-gender marriage, both pro and con, appear almost daily. In the nation's capital, a recent *Washington Post* column by liberal but politically incorrect Nat Hentoff approvingly quoted an American Civil Liberties Union lawyer on the Georgia case: "It's the first decision I know of that recognizes homosexual relations are entitled to constitutional protection." On NBC, Candace Gingrich, half-sister of you-know-who, performed the wedding of Carol and Susan on *Friends*. And it's not just an American issue — the cover of the first 1996 issue of Britain's pro-Tory news and business magazine, *The Economist*, featured a photograph of a wedding cake topped by two grooms holding hands.

The media coverage is important because even if the courts ultimately recognize homosexual relationships — in marriage or some other form — it is in the arena of public opinion that the most important battle must be fought. Just as allowing Gays in the military couldn't be accomplished by a stroke of the president's pen, the right of Gay male and Lesbian couples to wed will require more than even a court decision. If the public becomes exercised over the issue, with homophobes raging, straight supporters quiet, and Gay men and Lesbians outnumbered and outgunned, legislative action will threaten any court decision.

Whether this debate — or, indeed, marriage — is good for Gay people is itself a subject of discussion among some Gays. Opposition among Gays is based on two main concerns. First, same-sex marriage is such an emotionally charged issue that promoting it will wave a red flag at the homophobes and likely lead to another defeat. Adam Mars-Jones, writing in a recent *London Review of Books*, argues that Gay marriage (and Gays in the military) "would certainly be fought every step of the way. Should they really represent the whole of the agenda for Gay politics?"

Second, some Gay men and Lesbians believe marriage is inappropriate for Gay people. Some Gay men aren't sure marriage is a suitable institution for homosexual men, mindful of the less-than-monogamous habits of many. More fundamentally, Mars-Jones notes that the late influential French philosopher Michel Foucault, a homosexual, rejected "the spurious equality of the marriage bond," suggesting instead that straights imitate Gays: "By proposing a new relational right, we will see that non-homosexual people can enrich their lives by

If the public becomes exercised over the issue ... legislative action will threaten any court decision.

changing their own schema of relations."

But from a strategic standpoint, we don't always get to choose the issue. And even if we lose the short-term battle over same-gender marriages, the debate goes to the heart of our issue with society at large — the right to be seen as ordinary — and the case is worth making to further longterm gains. Substantively, marriage is not irrelevant to many Gay people. Longterm relationships are as much the rule as the exception among Lesbians. In particular, legal marriages could provide important protections for Lesbians with children. And long-lasting relationships are not unusual among Gay men — many of my friends have been with their partners for 10 or more years. Gay couples could gain from the benefits of legal marriages — health insurance, tax breaks, questions of medical decision-making and inheritance, especially important for people with AIDS.

As for the argument that Gay relationships should provide a model for straights — not the other way around

this view was reflected in the *New Yorker's* recent review of *Carrington*, the film about the bed- and gender-hopping Bloomsbury artist Dora Carrington. The movie, wrote reviewer Frances Spalding, "is attracting attention for many reasons, not least because the current anxiety about the breakdown of traditional patterns of cohabitation arouses fresh interest in her ability to find meaning in a deeply unconventional relationship."

But as appealing as the Bloomsbury attachments were, they hardly provide a model for society at large. Carrington and her Gay friend/lover Lytton Strachey were childless, allowing them freedom to concentrate on art and romance rather than the diapers, homework, etc., that preoccupy most married couples. (A world without marriages brings to mind the late Noel Coward's song, "What's going to happen to the children, when there aren't any more grown-ups?" In today's crime-ridden cities, we're beginning to find out.)

In the final analysis, the public — here and abroad — will embrace or reject marriage for Gay people based on what the straight majority perceives as in its interest. *The Economist* editorial, entitled "Let them wed," concludes: "Homosexuals need emotional and economic stability no less than heterosexuals — and society surely benefits when they have it. ... For society, the real choice is between homosexual marriage and homosexual alienation. No social interest is served by choosing the latter."

Amen and pass the rice.

Hastings Wyman Jr.'s column on Gay issues in American politics appears monthly in the Blade. He has published Southern Political Report, a nonpartisan newsletter, since 1978.

Sex change marriages legalized

The Singapore government announced January 24 that it will allow people who have undergone gender reassignment surgery to legally marry, Reuters reported.

Current Singapore law will be amended to permit a person who has "undergone a sex-reassignment procedure" to be identified as the "same sex to which he/she has been re-assigned," Reuters quoted a government document as saying.

According to Singapore television, as reported by Reuters, Community Development Minister Abdullah Tarmugi said the proposed amendment would note the new gender on individuals' identity cards rather than their birth certificates.

Within the last 25 years, more than 500 people have undergone sex-change operations in Singapore hospitals, according to Reuters.

BLADE 2/2/96 at 10

CAPITOL HILL UPDATE

PRO-GAY HOUSE MEMBER WINS SENATE RACE: U.S. Rep. Ron Wyden (D-Ore.), a strong supporter of civil rights for Gays, won a narrow victory over conservative Republican challenger Gordon Smith January 30 in a race considered a possible bellwether on how Republicans and Democrats will do in November. Wyden and Smith ran in a special election called to replace Sen. Bob Packwood (R), who resigned over allegations of sexual harassment.

Wyden has been a longtime co-sponsor of the House Gay civil rights bill and has supported efforts to lift the ban on Gays in the military.

"By electing Wyden, voters chose a senator who is committed to bringing people together, supporting policies that treat Lesbian and Gay people fairly, and serving all residents of his state," said Daniel Zingale, political director of the Human Rights Campaign.

HRC's political action committee contributed \$10,000 to Wyden's campaign, the maximum amount allowed by federal election laws. HRC also gave \$5,000 to the Oregon Democratic Party and another \$5,000 to the Democratic Senatorial Campaign Com-

mittee, with the understanding that both would be working on Wyden's behalf.

GAY PARTNER OF HILL STAFFER IS 'APPROVED': Rep. Nancy Johnson (R-Conn.), chair of the House ethics committee, and Rep. Jim McDermott (D-Wash.), ranking minority member of the committee, told openly Gay House staffer Jeff Coudriet that his relationship with his domestic partner meets the criteria for an exemption under a newly enacted rule restricting gifts. The rule, among other things, requires House members and House staffers from accepting personal gifts from friends without obtaining permission from the ethics committee each time a gift is received with a value greater than \$250.

However, the rule allows members or staffers to receive an exemption from the requirement when the gifts come from a spouse or personal friend who is declared by the member or staffer as a domestic partner.

Coudriet believes he is the first Gay staffer to be granted an exemption on the "Gay spouse" exemption.

—Lou Chibbaro Jr.

THE WASHINGTON BLADE

2/9/96 at 19

• LOS ANGELES, Calif. — Two Hollywood studios have joined the list of those that extend benefits to domestic partners of Gay employees. Dream-Works SKG, with an employee base of 500 people, recently began offering the benefits and Metro-Goldwyn-Mayer Inc., which employs 800 people fulltime, began Feb. 1. Hollywood Supports, an organization of leading movie industry figures that works to fight discrimination on the basis of HIV status and sexual orientation, said the move by both companies leaves only one movie studio in Hollywood that does not offer domestic partner benefits.

BLADE 2/2/96 at 14

U.S. DEPARTMENT OF LABOR

White House Liaison
200 Constitution Avenue, N.W.
Washington, D.C. 20210
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Date:

Dec 6, 1995

To:

Martin Kislom

Fax Number:

456-1647

From:

Richard P. CaridesNumber of Pages:
(Including cover sheet)4

☐ Action
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COMMENTS:**GAY MARRIAGES**

FIND:

① Hawaii case (Baehr or Dance!)
[HA Sup Ct decided, remanded]

② N.D. Ga. case

+ write brief commentary, attach cases

Copy to [unclear] / [unclear]

Socarides Richard

From: qnews
To: qnews
Subject: IMPORTANT - Newsweek article
Date: Tuesday, December 05, 1995 3:03PM

Send your comments on the issue of gay marriage to NEWSWEEK.

The following 2 1/2 page article appears in the latest issue of NEWSWEEK (December 11, 1995 - Cover: Oliver Stone's NIXON film).

Letters to the Editor should be sent to:

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Include your name, address and daytime telephone number.

SOCIETY: FAMILY
Page 82

DO YOU, TOM, TAKE HARRY....

-MANY GAY COUPLES WANT TO GET MARRIED. BUT EVERY STATE SAYS NO. IS IT TIME FOR THE LAW TO CHANGE?

By Anne Underwood and Bruce Shenitz

Nina Baehr has concocted elaborate plans for the wedding of her dreams. Why not? She's 35 and "crazy in love." She will rent a fabulous estate outside Honolulu and string lights in the trees. The reception will be a traditional Hawaiian luau. Breaking tradition, Baehr will wear a slinky black evening gown dotted with sequins.

There is, however, another tradition to be broken in this fantasy wedding. The person Baehr wants to marry is another woman, Genora Dancel, her lover since 1990. But instead of just having some sort of ceremony and the grand party, the couple wants something else: a marriage license from the state. Baehr and Dancel, along with two other gay couples, first applied five years ago.. After a fight that has already gone to the Hawaii Supreme Court - which made a finding in Baehr's favor, but sent the issue back to a lower court - legal experts say she may actually get her wish within the next two years.

Much more than Baehr's happiness is at stake here, though. No other state recognizes homosexual marriages, and opinion polls show that nearly 65 percent of Americans oppose the idea. But states usually recognize legal marriages performed in another jurisdiction, so if Hawaii legalizes same-sex weddings, it automatically raises the issue for the entire country. "We will be (in Hawaii) five minutes after it's ratified," said New Yorker Christine Edwards, who is engaged to Marjorie Hill. Anticipating such a situation, Utah's legislature already voted in March not to recognize out-of-state marriages that would not be legal under its own laws.

In facing the issue, states will have to bear in mind that marriage has two dimensions: the spiritual one of love and commitment, and the worldly one of health plans and inheritance rights. The fight in Hawaii is mostly about the paperwork. Baehr and Dancel are already free to take their vows before any minister willing to perform the ceremony, and the change in the law they seek would not compel a priest, say, to officiate. Gay church weddings, virtually unheard of before 1968, are now officially sanctioned in a few denominations, and quietly taking place in others (although in recognition that only the state can ratify a marriage, they are usually called something like "blessings of a holy union"). A lot depends, though,

on where one lives. Some Episcopal priests are happy to perform gay marriages, but a year ago, when Jim Black and Thom Monnahan sought to get married in Seattle's Episcopal Cathedral of St. Mark's, Bishop Vincent Warner forbade it, provoking the couple to stage a 10-day fast in the cathedral.

The sympathetic bishop told them they were "on the side of the angels," but they needed to get the Episcopal House of Bishops on their side as well, and so far that hasn't happened.

As for the other aspect of marriage, society has already begun moving, although haltingly, toward a recognition of the legal and financial rights of gay couples. Amazingly enough, it is big business that is leading the way, in the interest of employee morale or, perhaps, elementary fairness. In a trend pioneered just four years ago by Lotus Development Corp., more than 200 American companies now extend at least some spousal benefits to their gay employees' partners. These "domestic partnership" programs provide for such benefits as health and life insurance, as well as leaves for paternity or maternity, illness and bereavement. Among the companies are such rock-ribbed members of the mainstream as Coors Brewing Co. and the law firm of Covington & Burling. Disney recently joined the list - and is now facing a call for boycott by the Florida chapter of the American Family Association.

Gay leaders strongly applaud partnership programs. But many also insist that these programs are weak imitations of the benefits routinely afforded heterosexual couples. A report commissioned by the Hawaii state legislature lists dozens of rights that matrimony confers on heterosexuals but domestic partnerships don't. Among them: spouses can claim a tax deduction for a dependent partner and can qualify for payments under their partner's social security. Bob Stauffer, a heterosexual member of the Hawaiian Commission on Sexual Orientation and the Law, says: "It's like saying to Rosa Parks, 'We're going to put air conditioning in the back of the bus.' All the examples of domestic partnership are separate but unequal."

Horror stories: Many gay couples try to duplicate marriage benefits by having lawyers write wills, power of attorney and other legal documents to protect property, inheritances and the right to make health-care decisions.

But horror stories abound, like that of Karen Thompson and Sharon Kowalski, two lesbians who lived together for four years in Minnesota. A car accident in 1983 left Kowalski with severe brain injuries. Thompson wanted to care for Kowalski at home, but Kowalski's family placed their daughter in a nursing home. Only after a bitter nine-and-a-half year legal fight was Thompson allowed to bring her lover home to St. Cloud, where they continue to live together.

In that light, it's not surprising that the issue should have arisen at a time when many gay couples face illness and the possibility of early death.

Just a few years ago, the situation was different: many gay leaders considered marriage an institution somehow alien to gay culture, or a cause that would distract from important issues. Now, though, most gay organizations endorse legalized marriage. Marriage "is about the legal equality of our love for each other," says Andrew Sullivan, editor of The New Republic. "I think it's as important to us as interracial marriage was to African-American civil rights."

And that's probably for a lot of people on the other side of the issue as well. To religious conservatives, sanctioning gay relationships is another attack on American public morality. As Robert Knight, director of cultural studies at the Family Research Council, put it: "Marriage by definition joins two opposite selves together. It is the building block of civilization. That's why we shouldn't be messing with it." President Bill Clinton apparently agrees, but also disagrees. In October White House aide George Stephanopoulos told gay and lesbian journalists that Bill Clinton didn't support legally recognized gay marriage. But last week Clinton's deputy press secretary, Ginny Terzano, said, "The president doesn't think that same-sex marriages should be outlawed."

The issue will be joined again in Hawaii, where the Supreme Court ruled in Baehr's suit that forbidding same-sex marriages constituted sex discrimination, violating the state constitution's equal-rights amendment.

Now a trial court must decide if a "compelling state interest" exists to justify the ban. In making its case, the state will argue that children are

better off with their biological mother and father. Then what about the case of Kevin Williams and Timothy Eustance, who were married last April in Christ Episcopal Church, in Hackensack, N. J., after 17 years together? In 1988 the couple adopted a 5-week-old HIV positive baby who had been left in a Jersey City hospital, followed by an 8-year-old with AIDS, and, five years later, the baby's younger brother. The 8-year-old died, but the two younger ones (who have converted spontaneously to HIV-negative status) were ring-bearers at the wedding.

Hill reaches compromise on partners law, adoption

by Lou Chibbaro Jr.

D.C.'s domestic partners law will remain on the books, although unfunded, and joint adoptions by Gay couples will be permitted but significantly restricted under a controversial D.C. appropriations bill passed Wednesday by the House of Representatives.

The Senate was expected to pass the bill late this week.

The \$4.9 billion D.C. appropriation measure had been stalled in a House-Senate conference committee for more than three months, largely because of a dispute between House members and Senators over a controversial plan to revamp the D.C. public school system.

Wednesday's action by the House brought a sigh of relief to Gay activists. The Human Rights Campaign, a national Gay political group, and the Capital Area Log Cabin Club, a D.C.-based Gay Republican group, had waged a two-month lobbying campaign to persuade the conference committee to kill or weaken language calling for much greater restrictions on the city's domestic partners and adoption laws.

The earlier language, which the House passed in November, would have completely repealed the domestic partners law and would have amended the city's adoption statute to prohibit all unmarried couples, including Gay couples, from adopting children.

The bill passed by the House Wednesday discards the earlier language, a proposal by anti-Gay Rep. John Hostettler (R-Ind.), and keeps the domestic partners law on the books. However, similar to the way Congress has handled the domestic partners law since the D.C. Council passed it four years ago, the language adopted by the House this week prohibits the city from spending any money — including money collected from D.C. taxpayers — to implement the partners law.

The language also prohibits unmarried couples, including Gays, from jointly adopting children, but it allows one partner to adopt as a single parent while allowing the second partner to adopt the child later.

The version approved this week partially rebukes Rep. Jay Dickey (R-Ark.), the conservative, anti-Gay House member who led efforts to completely ban Gay couples from adopting. Dickey said allowing such adoptions in the nation's capital undermined the traditional family.

"In the environment of this Congress, this was the best we could get," said Nancy Buermeyer, HRC's senior policy advocate.

Buermeyer and Carl Schmid, president of the Capital Area Log Cabin Club, said an informal coalition of moderate Republicans and Democrats played a key role in defeating efforts to retain the more restrictive, anti-Gay language on domestic partners and adoption.

Schmid credited Sen. James Jeffords (R-Vt.), who chairs the Senate Appropriations subcommittee on D.C., and Rep. Steve Gunderson (R-Wis.), the only openly Gay Republican in Congress, with persuading enough Republicans on the conference committee to reject the more restrictive language.

Similar to his efforts in past years, pro-Gay Rep. Julian Dixon (D-Calif.) led efforts by the Democrats to kill, and later weaken, the domestic partner and adoption restrictions.

Gunderson, while praised by Gay activists, has been sharply attacked by members of the

D.C. school board for leading efforts to include in the appropriations bill a sweeping proposal to reform the city's public school system. Although D.C. school officials support some parts of Gunderson's proposals, most are bitterly opposed to a provision that would provide vouchers, or "grants," to pay student tuition for private schools.

The controversy over the school proposal caused the conference committee to deadlock for three months. The committee first approved the compromise language on the domestic partners and adoption issues in December. But the delays over the education flap enabled anti-Gay House members more time to press for more restrictive language on the domestic partners and adoption issues, a development that kept Gay lobbyists in a constant state of alert.

Aides to Jeffords expected the Senate to pass the bill late Thursday or Friday.

The White House has yet to say whether President Clinton will sign the D.C. appropriations measure. Sources familiar with the White House said the president is leaning toward signing it.

The adoption controversy began early last year when the D.C. Court of Appeals handed down a controversial decision declaring that D.C.'s adoption statute permitted unmarried couples, including Gay couples, to jointly adopt children. Gays have long been allowed to adopt as single parents in D.C., and the flap over the appeals court decision did not lead to efforts to challenge the right of Gays to adopt as single parents.

However, the court ruling prompted Dickey to introduce an amendment to the D.C. appropriations bill seeking to totally ban joint adoptions by Gay couples and unmarried heterosexual couples.

The adoption language included in the appropriations bill which the House passed this week prohibits Gay couples and unmarried heterosexual couples from jointly adopting children at the same time. Unlike Dickey's version, the new version allows one partner to adopt a child as a single parent while allowing the second partner to adopt the child at a later date.

"This is an improvement over the earlier version, but it's still an attack on Gay and Lesbian families," said American University law professor Nancy Polikoff, who specializes in family law pertaining to Gays.

The domestic partners language included in this week's House-passed appropriations bill keeps in place restrictions that Congress has adopted during the past three years. It bars the city from allowing partners of D.C. government employees to pay to join the employees' health insurance plans. It also bars the city from spending its money to carry out another provision of the domestic partners law — a provision allowing same-sex couples or unmarried heterosexual couples to pay a fee to the city to register their relationships as domestic partners.

Gay civil rights attorneys responded to the registration restriction in 1993 by devising a procedure for registration by mail. At the time, city officials said the mail registration would not cost the city any money and thus would not violate the Congressional restriction. Then Mayor Sharon Pratt Kelly adopted the procedure, and activists say there is no reason why it should not continue under this year's appropriations bill.▼

To: [Handwritten signature]

Socarides Richard

From: Channel Q
To: qnews
Subject: SPECIAL ALERT: Chicago Tribune
Date: Thursday, January 25, 1996 8:29AM

SPECIAL ALERT:

The following excellent commentary appears today in The Chicago Tribune, one of the largest papers in America with over a million readers daily. The Chicago Tribune welcomes letters to the editor from anyone in the country.

This is an excellent opportunity to write a letter to the editor on the subject. Some suggestions: You might...

- Thank the Tribune for running this commentary
- Make additional points of your own on the subject of gay marriage
- Respond to anti-gay comments made by the American Family Association or other anti-gay arguments in general
- Relate a moving personal story about your commitment with someone you would like to marry that will connect with readers hearts
- Send in a letter you have previously written on the subject of gay marriage if you are short on time

No doubt the anti-gay forces are already sending their letters to the Chicago Tribune. While editors do not print every letter they receive, they do base the final pro and con ratio on the ratio that they receive, so even a short note of support would be helpful to the overall total of pro-gay letters.

Send your letter to "Voice Of The People" along with your name, address and telephone number for verification purposes (they ask writers to include a daytime telephone number, although in my experience they do not actually call before printing):

E-Mail: Tribletter@AOL.COM
OR fax it to: 312-222-2598

THE CHICAGO TRIBUNE
Thursday, January 25, 1996
Source: Stephen Chapman.
Section: COMMENTARY

UNSPEAKABLE UNIONS? - THE FLIMSY CASE AGAINST GAY MARRIAGE

A specter is haunting conservatives: gay marriage. The state of Hawaii is moving toward sanctioning homosexual unions, and that prospect has induced something approaching apoplexy on the right. Some opponents regard this as one of the defining political issues of the day. They want other states to refuse to recognize such marriages--a departure from the custom that a marriage transacted in one state is accepted by all.

But why is there such resistance? This is not a zero-sum game. If homosexuals win the right to wed, the victory doesn't come at the expense of heterosexuals, who will retain all the pleasures, prerogatives and duties that come with matrimony.

Much of the opposition stems from religious objections. "We just believe it's plain immoral," said Tim Wildmon, vice president of the American Family Association. "It goes against the Holy Scriptures."

It may come as a revelation to Wildmon that American law and the 10 Commandments are two different things. We call ourselves a free society partly because we permit all sorts of things that "go against the Holy Scriptures"--blasphemy, fornication, making graven images, Sabbath-breaking, coveting your neighbor's maidservant and more.

The supposed moral offense that upsets conservatives is sexual relations between gays--which is already permitted nearly everywhere. If Americans can tolerate gay sex, why not gay marriage?

Conservatives, of course, do not willingly tolerate gay sex. But some of their thinkers have tried to come up with reasons to oppose gay marriage that are somewhat more persuasive than invoking Leviticus. The effort only demonstrates the emptiness of their cause. What they are engaged in is not reasoning but rationalization.

The primary objection from Christian Action Network president Martin Mawyer is that if gays gain the right to wed, "marriage as an institution will be rendered meaningless." Society encourages marriage, he says, solely because "it is likely to produce a greater good, namely children, who are necessary for any society's existence."

But not everyone who gets married has children, and not everyone who has children gets married. We allow unions between people who don't want children and people who can't have children.

Marriage, conservatives argue, provides a vital framework for raising children. But gay couples also raise children--either children one of them has produced or children they have adopted. There is no law to stop a lesbian mother from bringing up her own son in a household that includes her female partner.

Robert Knight of the Family Research Council says homosexual conduct has to be discouraged to preserve traditional marriages, which are precious because "the stability they bring to a community benefits all." But allowing gay marriage would advance the same interest by discouraging promiscuity and encouraging commitment--the opposite of what current policy does. If it's good for society when straight couples settle down in permanent, legally sanctioned relationships, why is it bad when gay couples do likewise?

Because it would set a terrible precedent, according to Amherst College professor Hadley Arkes. Next thing you know, he warns, we'll have to allow marriage between men and boys, between fathers and daughters, even between multiple partners. Knight goes further, fearing that some men will want to marry dogs.

Here we have passed into outright hallucination. Why does legalizing gay marriage lead to man-boy unions, any more than allowing heterosexual marriage leads to man-girl unions? Children may not marry for a simple reason that is irrelevant to gay marriage: They can't give true consent.

As for incestuous pairings, they would doubtless remain illegal because they undermine a taboo that is crucial to the protection of children and because they carry health risks for potential offspring.

Polygamy? If two women are happy to marry the same man and live together in a family, subject to the same strictures as two-partner marriages, there is no obvious reason to stop them. But such arrangements would be rare. There are lots of unmarried gay couples in America but very few unmarried men cohabiting with several women.

These arguments serve mainly to obscure the issue, not illuminate it. Conservatives say they abhor gay marriage because they value marriage. The truth is they abhor gay marriage because they abhor gays.

PHOTO: Illustration by David Csicsko.

National News

Gays must pay taxes on partner's benefits

For the second time in two years, the U.S. Internal Revenue Service has issued a "private letter ruling" to an employer declaring that its employees must pay taxes on company health benefits for domestic partners, just as if the benefits were taxable income.

The IRS, which issued the ruling Oct. 18 to an unidentified law firm, released a copy of the ruling to the press last week, with the name of the firm erased from the top of the document.

In November 1994, the IRS issued a similar ruling to the Writers' Guild Industry Health Fund, a multi-employer fund that offers health benefits, including domestic partners bene-

fits, to television and motion picture writers. However, in the case of the Writers' Guild Industry Health Fund, the IRS said the fund itself could retain its tax-exempt status as long as it limits its domestic partners benefits to 3.4 percent of the value of the total amount of health benefits the fund provides to all of its employees. The latter provision does not apply to the law firm because, unlike the guild fund, it is a profit-making corporation.

The IRS said it based its decision to tax domestic partners benefits for the law firm and the writers fund on the U.S. tax code and various court rulings upholding the code. The code

states that employer health benefits are tax-exempt for spouses of married employees and the employees' dependents. According to the IRS, such benefits must be treated as taxable income for anyone else. In its latest ruling, the IRS noted that an employee would be exempt from paying taxes on his or her domestic partners benefits only if the domestic partner could qualify as a legal dependent.

The IRS also noted that the federal tax code allows states to decide how to define a legal spouse. Thus, if a state recognizes same-sex marriage or in some other way redefines the legal definition of a spouse, the IRS would accept that policy

and grant a tax exemption for employer benefits for domestic partners.

Gay activists have denounced the current policy as unfair and discriminatory, noting that while heterosexual couples have the option to marry, Gay couples do not.

The IRS has said a private letter ruling applies only to the company or party that requests it. But IRS observers say such rulings provide insight into the IRS's position on various tax matters and that such rulings are believed to apply to other companies or organizations under similar circumstances.

—Lou Chibbaro Jr.

City illegal under Michigan common law

San Francisco Board Backs Gay Weddings

■ SAN FRANCISCO—The city's Board of Supervisors unanimously approved a measure that gives gay couples the right to a symbolic wedding ceremony beginning in April.

The measure must have another reading Monday, then becomes law March 21.

The civil ceremonies would recognize domestic partnerships, but would not be legal marriages. They would only solemnize the rights the city has granted gay couples since its 1991 domestic partnership law.

That ordinance gives domestic partners visitation rights in hospitals and, for city employees, shared health plans and bereavement leave when a partner dies. Private employers are not required to grant the same benefits.

Only couples registered as domestic partners in San Francisco would be eligible for the ceremony. At least 3,000 unmarried couples, most of them gay, already have filed for that designation.

San Francisco's effort to recognize long-term homosexual partnerships is at odds with a state effort. The state Assembly is scheduled to study a bill today that would prohibit California from recognizing same-sex marriages, whether performed inside the state or outside—for example in Hawaii, where gay marriages could be legalized next year.

San Francisco has a large gay population, sometimes estimated at 10 percent or more of the 730,000 residents, attracted by the city and its liberal political bent.

From news services

WP 1/30/96
A3

Episcopalians mull Gay issues

Conservative delegates unable to dilute pro-Gay statement

by Wendy Johnson

The topic of homosexuality dominated the 101st annual convention of the Washington Diocese of the Episcopal Church recently when conservative delegates tried unsuccessfully to water-down a pro-Gay statement the diocese approved at its convention last year.

Delegates debated whether to discount "A Statement in Koinonia," a pro-Gay declaration written in 1994 by Bishop John Spong of Newark, N.J., that was approved by a strong majority of delegates during last year's convention.

Koinonia comes from the Greek word for "fellowship and participation." The Koinonia statement has been criticized by conservatives for its stance on homosexuality. The document states that homosexuality and heterosexuality are morally neutral; that same-sex unions should be recognized and supported by the church; and, that Gays who set a "wholesome example" should be ordained in the church.

Delegates at the 101st convention ultimately adopted three resolutions pertaining to Koinonia, although two were slightly contradictory.

By a wide margin, delegates resolved to affirm Koinonia and to "[live] out what it means." Approved by a slim margin, however, was a resolution to recognize Koinonia as a "document to study" only, and not as church doctrine, though the resolution also reaffirms the church's acceptance of all people, regardless of sexual orientation.

"They're slightly contradictory, but we're splitting hairs here," said Carolyn Feinglass, co-chair of Integrity/Washington, a national Gay Episcopalian organization. "The conservative position is a relatively small but very vocal minority."

Also adopted was a resolution to continue to a dialogue about human sexuality "prayerfully, [and] with an attitude of love and respect."

A resolution to endorse "An Affirmation," a conserva-



Bishop John Spong wrote the pro-Gay declaration called "Koinonia."

by Clint Stahl

tive statement approved by the House of Bishops which states that heterosexual marriage is the only appropriate place for the expression of sex, was soundly defeated. Also defeated was a resolution to affirm the House of Bishops' "Continuing the Dialogue," which affirms that the church teach that heterosexual, monogamous marriage is the "normative context" of sexual intimacy.

Other pro and anti-Koinonia measures were introduced, but they were either dismissed due to their similarity to resolutions already voted on or because the convention ran out of time, prompting one longtime attendee to comment the *Washington Post* that the church seems to have "become more occupied with sexuality" than evangelism.

The Washington diocese has long been known for its open-minded congregations and last year became the first Episcopal diocese in the country to affirm Koinonia. New York, California, and Newark have since followed.

"Our diocese took the lead on ordaining black bishops, [permitting] divorce, and ordaining women," said John Clinton Bradley, co-chair of Integrity, a Gay Episcopal group. "These votes mean that our diocese is on record as saying that being homosexual is just as good as being heterosexual."

Although it has a tradition of welcoming Gays into its fold, the church has never definitively decided whether Gay people, who cannot legally marry, should be ordained if they are not celibate. Washington Bishop Ronald Haines has come under fire for his ordination in 1991 of Elizabeth Carl, the diocese's first openly Lesbian priest.

"The question is, 'How can you be a wholesome example for people when the church says that wholesome relationships can only take place in a monogamous, married relationship?'" said the Rev. Patricia Thomas, assistant to Bishop Haines. "The challenge before the church is 'What is a wholesome lifestyle for the homosexual?'"

The Episcopal Church in the past has had no formal policy on the ordination of Gays and has left the choice up to each individual diocese. But that may change now that the church is determining whether its doctrine permits such a practice. Currently, Bishop Walter Righter is facing heresy charges from his church for his 1990 ordination of an openly Gay man. His trial has been postponed while the Episcopal Church debates the issue. ▼

Inmate 'calm' as hanging nears

And in Utah, firing squad gets prepared

By Shannon Tangonan
USA TODAY

Delaware readied its gallows and Utah marksmen practiced shooting on command as both states prepared Wednesday for unusual executions.

The weathered gallows at the Delaware Correctional Center near Smyrna was readied for the execution early today of Billy Bailey, 49.

He's "just trying to stay calm and get through it," said his lawyer, Edmund Lyons. "I

think he has pretty well composed himself."

Bailey was convicted of fatally shooting Gilbert Lamberth, 80, and his 73-year-old wife, Clara, on their Cheswold, Del., farm in 1979.

The gallows, which has a trap door 15 feet above ground, was built for Bailey's hanging in 1986. Appeals delayed the execution.

The state in 1986 replaced hanging with lethal injection, but since Bailey's crime preceded the change, he was given a choice and opted to hang.

It will be the third hanging in the USA since the death penalty was reinstated in 1976.

In Utah, child rapist and murderer John Albert Taylor, 36, is scheduled to die in front of a firing squad early Friday in Salt Lake City. It would be the state's first such execution since 1977.

Prison officials built a death chamber in a warehouse on prison grounds. A wall will shield the identities of the five marksmen.

Five minutes before the execution, officials will load four .30-caliber rifles with bullets and one with a blank.

The blank is "for the contingency if the executioners so no one knows for sure who fired the live round," said cor-



Bailey: Convicted in 1979 murders

rections spokesman Randy Ripplinger.

Taylor will be led out of a holding cell, strapped into a chair and given two minutes to make a last statement. A hood then is placed over his head and the order to shoot is given. He will be shot through the heart, prison officials say.

Virginia executed Richard Townes Jr. by lethal injection Tuesday for the murder of a store clerk during a robbery in 1976.

Townes' execution was delayed for at least five minutes because medical personnel could not find a large enough vein in which to insert the IV needle, said David Bass of the Virginia Department of Corrections.

It finally was inserted into his right foot.

Hawaii tables gay-marriage bill

By Claudine Kriss
USA TODAY

Hawaii's legislative proposal to legalize same-sex marriages appears to be dead for this year, the House Judiciary Committee chairman said Wednesday.

The proposal is being closely watched across the USA because a marriage in one state usually must be recognized in all states.

Rep. Terrance Tom said his judiciary panel decided Tuesday not to report the measures to the House for action. But, he said, "nothing is completely dead" as long as the Legislature is meeting.

The issue comes up again this summer in the state Supreme Court, which ruled in May 1993 that denying marriage licenses to gay couples is unconstitutional unless the state can prove a "compelling interest." The state will attempt to do that at a hearing July 15 in a suit by three gay couples who were denied marriage licenses.

Also killed were bills to create domestic partnerships and to give same-sex couples many of the same rights married couples now enjoy, such as government benefits, joint insurance policies, the right to make medical decisions for a partner and tax advantages.

Tom said more study is needed on the effect on the state's economy.

In California, an Assembly committee Wednesday approved a bill to bar recognition of homosexual marriages performed in other states.

WORLD

Chechens free captives; conflict not over yet

Dozens of hostages seized by Chechen rebels in a raid outside their separatist republic this month were released Wednesday in an exchange clouded by new clashes between rebels and Russian troops.



Pool photo

Yeltsin: Wants to rebuild Chechnya

The Chechens continued to hold 14 Russian police officers taken after the Jan. 9 raid in neighboring Dagestan that touched off a bloody siege and escalated the 13-month-old war. The hostages were released after Russian officials turned over the bodies of 42 Chechen fighters killed in last week's fighting, the Interfax news agency said. President Boris Yeltsin, meanwhile, ordered the release of \$3.4 billion

to rebuild Chechnya and pay benefits to refugees and other victims of the war. About 30,000 people have been killed and 300,000 made homeless since Russian troops went into Chechnya in December 1994 to put down a three-year independence drive.

FRENCH BOOK BAN: The French are finding ways to sneak around a ban on a new book that reveals that the late president Francois Mitterrand lied about his health during his entire presidency. Pascal Barbraud, manager of Le Web, a cybercafe for computer enthusiasts in the town of Besancon, transcribed all 190 pages of *The Big Secret* into his Internet site late Tuesday. By Wednesday, Le Web said at least 1,000 people an hour were swamping its site on the World Wide Web. Most were from France, Belgium, Switzerland and Canada. The Internet apparently isn't the only access to the book written by Claude Gubler, Mitterrand's physician during most of his 14 years as president. A classified ad of the *L'Est Republicain* newspaper contained this offer: "For sale: Dr. Gubler's *Le Grand Secret*." It didn't list a price.

DEATH SQUAD INDICTMENT: Spain's ex-interior minister Jose Barrionuevo was indicted by the Supreme Court on charges he directed death squads against Basque separatists. He is the most senior official to be formally accused. Barrionuevo and ex-state

security chief Rafael Vera are accused of setting up GAL, or Anti-Terrorist Liberation Groups, in 1983 to combat the armed Basque separatist group, ETA. The ETA has waged a 28-year campaign for independence for Spain's three northern Basque provinces.

CHINA POLITICS: Chinese President and Communist Party Chief Jiang Zemin issued an impassioned plea to the nation Wednesday for a return to socialist orthodoxy and warned against the charms of short-term economic gain. Jiang's toughly worded address attacked deviants from socialist ideology and urged a renewed commitment to "spiritual civilization," a Chinese watchword for more left-wing orthodoxy. "We must strictly ban the cultural trash poisoning the people and social atmosphere," Jiang said. His speech appeared to herald a new propaganda barrage in support of ideology after several years under the banner of socialist economic reform, analysts said.

TERRORISM LAW: An Israeli human-rights group says a proposed law essentially would legalize torture by allowing Shin Bet agents to use physical force when interrogating terrorism suspects. The proposed law, approved Tuesday by Prime Minister Shimon Peres, would permit agents of the security service to use force without prior permission from a ministerial committee, as is required now. "It is totally unacceptable at the end of the 20th century to have a law that basically legalizes torture," said Eitan Felner, deputy director of the Israeli rights group B'Tselem.

ALSO . . . U.S. ARMY Spec. Michael New was tossed out of the military by a military court in Germany for refusing to wear a United Nations patch and cap with his U.S. Army uniform. New, 22, of Conroe, Texas, said he swore to defend the U.S. Constitution and not the U.N. charter. He would not take orders that originated with a non-U.S. general. New is the first U.S. soldier court-martialed for refusing to wear U.N. insignia. . . . **COLOMBIA MAY** hold a national referendum to decide the fate of President Ernesto Samper. Samper's ex-campaign manager and defense minister Fernando Botero accused the president of knowingly accepting money from the Cali drug cartel to finance his 1994 election campaign. . . . **THE COUNCIL OF EUROPE**, meeting in France, is likely to approve Russian membership in the 38-nation group on Thursday. The parliamentary assembly of the Council, which seeks to promote democracy and human rights, held up Russia's 1992 membership application for seven months last year. . . . **TANZANIA HAS** agreed to provide temporary refuge for up to 12,000 Rwandans fleeing the same ethnic violence in Burundi that drove them from their homeland, the U.N. refugee agency said Wednesday.

Legal gay marriage on Hawaii's horizon

Controversy is a certainty across USA

By Carl Weiser
Gannett News Service

WASHINGTON — The first legal gay marriage could take place this year in Hawaii.

If it happens, according to activists on both sides of the debate, it will trigger a national fight about the family, gay rights and love itself. Every state will have to decide where it stands on the question of gay men and lesbians marrying and whether to recognize Hawaii's marriages.

"I do think this will become a huge issue in 1996. It may well be a key issue in the presidential campaign," says Robert Knight of the Family Research Council, which opposes gay marriages.

"The time for discussing whether to seek the freedom to marry has passed because we are likely to win it," says gay marriage advocate Evan Wolfson, director of the Marriage Project at the Lambda Legal Defense and Education Fund. "The big question is going to be: Will we be able to keep it against the ferocious backlash of our enemies?"

The debate is not just about abstract concepts such as the definition of a family or the rights of a minority. It's also about mundane matters: taxes, funerals and health benefits.

Toshav and Phillip Storrs, a gay couple in Ithaca, N.Y., understand the significance of Hawaii's proposal. They are trying to buy a house. Though they consider themselves married, banks treat them as business partners. "They see us as two different individuals ... with no financial interest in staying together," Toshav Storrs says.

But the Storrs won't rush off to Hawaii. "Not unless someone gave us the money," says Toshav Storrs, a hotel desk clerk. "I need to wait for New York to take action, or at least somewhere in my region."

The controversy over legalizing gay marriages comes as gay marriages are becoming a more prominent part of American culture:

▶ A Dec. 12 episode of TV's *Roseanne* featured a marriage between two men. ABC delayed airing the



A marriage in the shadows of society: Toshav, left, and Phillip Storrs of Ithaca, N.Y., said their vows in a Jewish 'commitment ceremony' in June, but they hope to obtain a legal marriage license. 'We love each other,' says Toshav.

show until 9:30 p.m., an hour and a half after its usual — more child-friendly — time of 8 p.m. Cable TV showed a gay marriage in 1994 when the HIV-positive Pedro Zamora on MTV's *The Real World* tied the knot with his lover, Sean. The Jan. 18 episode of NBC's *Friends* will show a lesbian wedding.

▶ An increasing number of churches perform gay marriage ceremonies. Toshav and Phillip Storrs were married in a Jewish "commitment ceremony" in June. The Episcopal Church is studying gay marriage, and presiding bishop Edmond Browning has said he is "sympathetic" to such a move.

▶ Some cities allow gay partners to register as couples, giving them some legal rights. Though not the equivalent of marriage, the registry provides official notice that two people are a couple. Palo Alto, Calif., became the latest city to create a do-

mestic partner registry in December; Denver and Boulder, Colo., are considering it.

▶ A few hundred companies and municipalities now extend benefits to gay partners of employees. Those companies include Time Warner, Nynex, Walt Disney, Levi Strauss, Apple Computer, Lotus Development and Microsoft.

But domestic partner registries and employee benefits don't equal legal marriages, gay activists insist. That's what gays want. "Not gay marriage. Marriage," says Wolfson.

In Hawaii, legal gay marriages are moving forward on two fronts:

▶ A gubernatorial commission has recommended that gay couples be allowed to marry, but the Legislature has not changed the law to allow it.

▶ The state Supreme Court also has ruled that denying marriage licenses to gay couples is unconstitutional unless the state can prove a

"compelling interest." The state attorney general is preparing to argue its case for a "compelling interest" before the court in July.

Court observers doubt justices will buy the argument. Most expect that after a few more legal maneuvers the court will legalize gay marriage.

"There will be a day when lesbian and gay people will be allowed to marry. We're definitely moving in that direction," says David Smith, spokesman for the Human Rights Campaign, the nation's largest gay and lesbian political organization.

"Unless the Hawaiian Supreme Court suddenly is hit with a dose of reality, they will take the radical step of validating homosexual relationships as marriage," says the Family Council's Knight. "This presents a problem for the other 49 states."

His suggestions: States should pass laws now to make it clear that marriage is strictly between a man and a

The benefits that partners could share

Marriages aren't just declarations of love. They also bring legal and financial benefits that partners share, including:

- ▶ Government benefits such as Social Security and Medicare.
- ▶ Joint insurance policies for health, home and automobile.
- ▶ Retirement benefits.
- ▶ The right to make medical decisions for a partner.
- ▶ Family leave to care for a sick partner or child.
- ▶ Wrongful-death benefits.

▶ Immigration for a partner from another country.

- ▶ Domestic violence protection orders.

- ▶ Joint parental custody.
- ▶ Alimony.
- ▶ Tax advantages.
- ▶ Inheritance rights.
- ▶ Divorce rights.
- ▶ Hospital visitation rights.
- ▶ Confidentiality of conversations.

▶ Right to decide what to do with a partner's corpse.

woman. And they shouldn't worry about whether to recognize those Hawaiian marriages.

To groups such as the Family Research Council, gay marriage is "an oxymoron, an ideological invention designed ... toward the goal of government-enforced acceptance of homosexuality," Knight says.

He calls gay marriages "counterfeit," saying that marriage must be the joining of a man and a woman. If states allow two men or two women to marry, why stop there?

"Why not three men? Three women? A man and a boy?" he says.

Tim Wildmon, vice president of the American Family Association, says gay people should have the right to vote, to work, to be free of violence — but not to marry. "We just believe it's plain immoral. It goes against the holy Scriptures," he says.

Both Wildmon and Knight say gay marriages could lead to more gay adoptions of children, "which I consider a deep threat to children's well-being," Knight says.

Are other families "going to want their children to stay over with Johnny and Bobby for the weekend? To be openly exposed to that kind of lifestyle, that kind of behavior? I think it could create great tension among a lot of American families."

The Marriage Project's Wolfson says there are only two issues: whether gay people should be allowed a right that everyone else enjoys, and whether states can "strip their marital status at the border."

If some states fail to recognize the Hawaiian marriages, then "you're married or unmarried, depending on where you're parking that day," Wolfson says. "Is this a country where we have to get a marriage visa stamped every time we cross a

state border?"

Wolfson says the issue is simply fairness. "In all 50 states, lesbians and gay men are today denied the basic freedom to marry," he says. "We want the same rights and responsibilities — and I emphasize responsibilities — that non-gay people take for granted."

There is debate within the gay community about pursuing legalization of gay marriages. As with the issue of gays in the military, many gay men and lesbians think the country is not ready — and expect a backlash so ferocious that gay rights will end up curtailed, not enlarged.

With Hawaii in mind, Utah passed a law this year outlawing same-sex marriages. Similar bills were introduced in South Dakota and Alaska.

"The signs, let me tell you, are ominous," wrote Jim Thomas, a columnist for the *News-Telegraph*, a gay interest tabloid that circulates in Illinois, Missouri, Kansas, Arkansas and Tennessee. "Some of our activists have taken on one of the most important institutions in our culture, particularly for conservatives."

"You heard it here first," he wrote. "We're going to get creamed."

Wolfson agrees that the fights in each legislature or state court will be difficult. But the best thing, he says, is to trigger a national debate, to make Americans start thinking about something they've never considered plausible.

"What I hope will happen is Americans will not close their minds before they've begun to hear the facts, the real stories of real-life people."

Those real-life people are like Toshav Storrs, who offers this short explanation for why he and Phillip should be allowed to marry: "We love each other."

Florida has prison beds to spare

Could rent the space to other states

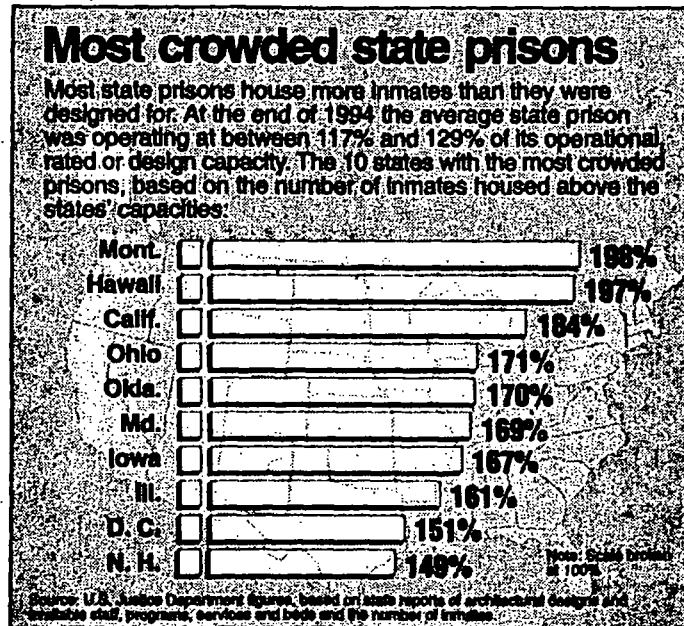
By Gary Fields
USA TODAY

At a time when crowding in state prisons is so high that most states also use local lock-ups or alternatives like tent cities, Florida has a welcome problem: nearly 4,400 empty prison beds.

Eight years of early releases and unprecedented prison construction have given Florida's 56 prisons nearly 73,000 beds, about 4,300 more than the number of state inmates.

"This is the first time I can remember not worrying about a population crisis," said Doyle Kemp, who manages the inmate population for the corrections department.

State officials are trying to decide what to do with the space. National prison experts say Florida has few, if any, states it can look to for advice.



In 1994, state prisons nationwide operated at between 117% and 129% of capacity. As of June 30, 1995, state prisons had 1,004,608 inmates, up 83,646 from a year earlier. While prison populations shrank in Alaska, Arkansas, Maine, South Carolina and

Washington, D.C., they grew in every other state.

Crowding was so severe in 1995 that 22 states and the District of Columbia sent nearly 49,000 inmates to county and local jails. "From the standpoint of states having extra beds, I don't think there are

many states that have extra beds right now," says Bob Hannigan, president of the North American Association of Wardens and Superintendents and a Kansas Department of Corrections warden.

In Florida, options for using the spare space include renting the cells out to other states or renovating several of the older prisons, including at least one built in 1932.

Florida's secretary of the Department of Corrections, Harry Singletary Jr., supports the renovation plan, saying the surplus of space is "a temporary situation."

He says projections show that even with the construction program, Florida will be 4,000 beds short by 1999 and 35,000 beds short by 2005, when the state prison population is expected to hit 120,000.

"You never know when you start leasing out space what you're going to get or when you're going to need your beds," Singletary says.

The decision to renovate or rent will be left up to Gov. Lawton Chiles and the Legislature.

But the idea isn't new. Coun-

ty and local jails have been renting cell space to other jurisdictions for years.

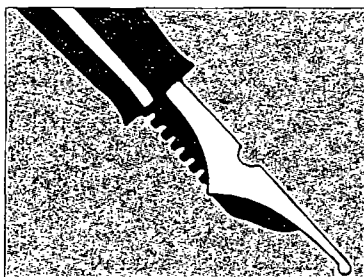
In Texas last year, state inmates accounted for nearly one-third of the 63,000 men and women held in 254 county jails. The cost was as high as \$40 a day for each state inmate kept in a local lockup, compared with about \$25 in a state prison.

When state inmates are transferred out, many local jails feel the economic drain.

"Some county jails are advertising for inmates," says Larry Todd, spokesman for the Texas Department of Criminal Justice.

Nine states, including Massachusetts, have sent 2,553 inmates to Texas county jails. Arkansas and Hawaii are also in the process of sending prisoners.

"It works well for the counties," Todd says. "Eventually our building program will slow and we'll have need of those county beds, but until that time, this is a very good stopgap measure for states who have not yet expanded their prison system."



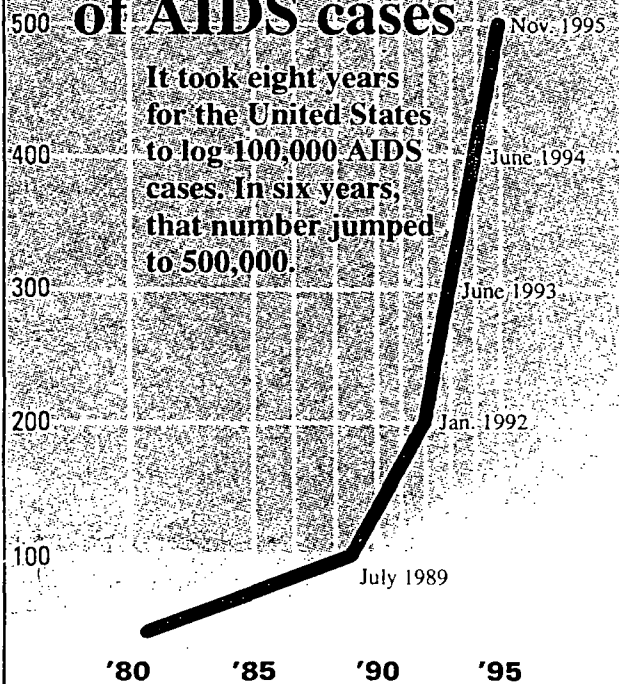
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Washington Blade

THE GAY WEEKLY OF THE NATION'S CAPITAL

The meteoric rise of AIDS cases

It took eight years for the United States to log 100,000 AIDS cases. In six years, that number jumped to 500,000.



AIDS cases now number 500,000

by Lisa Keen

Half a million people: Enough to populate Denver. More than twice the number killed by the hydrogen bombs dropped on Nagasaki and Hiroshima. More than

Activists: reopen investigation

GLOV calls on fire department to reopen probe of Hunter case

by Lou Chibbaro Jr.

Gay activists said they will call on D.C. Fire Chief Otis Latin today to reopen a Fire Department investigation into an incident in which a firefighter taunted the victim of an August 7 car crash when he discovered the victim was a man dressed as a woman.

The activists, who were scheduled to meet with Latin this afternoon, Dec. 1, said the identification two weeks ago by *The Washington Blade* of the firefighter who called accident victim Tyrone "Tyra" Hunter a "bitch" meets the criteria set by Latin for reopening a Fire Department probe into the incident.

But a fire official under Latin said this week that Latin does not consider the *Blade* report to constitute "substantive evidence" in identifying the firefighter and that he is not likely to reopen the investigation.

Tracey Conaty, co-chair of Gays and Lesbians On

Department's claims not supported by its memos



by Clint Seib

Memos to D.C. Fire Chief Otis Latin cite few inconsistencies.

Few inconsistencies in witness testimony

by Lisa Keen

Two memos from a D.C. Fire Department investigation reveal that there were many consistencies and only two very minor differences in the descriptions witnesses gave to identify the fire department employee who jeered Tyrone Hunter as he lay dying at the scene of an automobile accident in August.

The D.C. Fire Department claimed at an Aug. 18 press conference that it could not identify which of 16 fire department personnel

Continued on page 10

Hunter, 24, a life-long D.C. resident, died from injuries suffered in the two-car crash at 50th and C streets, SE. The incident attracted citywide attention when witnesses from the neighborhood reported that an unidentified rescue worker from the Fire Department shouted in

by Lisa Keen

enough people: Enough to populate Denver. Twice the number killed by the hydrogen bomb on Nagasaki and Hiroshima. More than the number of people who are members of the General Conference. More than ten times the number of American soldiers killed in combat in Vietnam.

Many people have been diagnosed with AIDS in the United States. In fact, that's just the latest milestone, underscored by the U.S. Surgeon General's report on the disease from the U.S. Disease Control and Prevention (CDC) in the November issue of *Morbidity and Mortality Weekly Report*.

Continued on page 27

ment probe into the incident.

But a fire official under Latin said this week that Latin does not consider the *Blade* report to constitute "substantive evidence" in identifying the firefighter and that he is not likely to reopen the investigation.

Tracey Conaty, co-chair of Gays and Lesbians Opposing Violence (GLOV), said her organization faxed a letter Nov. 29 to D.C. Mayor Marion Barry asking Barry to direct Latin to reopen the investigation into the Hunter incident.

Johnny Allem, Barry's press spokesperson, said Barry will wait for Latin to decide whether or not to reopen the investigation into the Hunter incident before Barry decides whether to take further action. Allem said Barry is aware of the controversy over the incident and is monitoring the situation.

Hunter, 24, a life-long D.C. resident, died from injuries suffered in the two-car crash at 50th and C streets, SE. The incident attracted citywide attention when witnesses from the neighborhood reported that an unidentified rescue worker from the Fire Department shouted insults at Hunter, who was dressed to appear as a woman, after discovering that Hunter was a man. Some witnesses said the rescue worker also suspended treatment on Hunter for several minutes.

Hunter's mother joined Gay activists and advocates for transgendered people in calling on the Fire Department to take disciplinary action against the rescue worker.

In its Nov. 17 edition, the *Blade* reported that Fire Department sources familiar with the incident identified

Continued on page 10

Five-year AIDS plan: How do things stand?

by Sue Fox

Months pouring over the project how the AIDS epidemic would grow in the District. They brought in experts from the National Cancer Institute, the Centers for Disease Control and the National Institute of Infectious Diseases, and other centers. Hundreds of committees to identify related needs and come up with strategies. They held a summit to insure collaboration and unity.

In the summer of 1992,

the D.C. Agency for HIV/AIDS released its long-awaited plan: a hefty document more than 250 pages long, containing recommendations for coping with the city's escalating AIDS crisis over the next five years.

The D.C. Comprehensive HIV/AIDS Plan included hundreds of recommendations for improving medical care, case management, and a host of other matters. Much of the publicity surrounding the plan — and the attention of many Gay and AIDS activists in the years since — focused on recommendations for AIDS education

Continued on page 6



Hank Carde was one of the main authors of the five-year plan.

Hawaii panel recommends Gay marriage

by Lisa Keen

For the first time ever, a statewide governmental body has recommended legalizing same-sex marriage. The recommendation came in Hawaii from a commission appointed by the governor and leaders of the state legislature.

In a 108-page "draft report" issued Nov. 22, the Commission on Sexual-Orientation and the Law states that there are a "substantial number" of "major benefits" to extending marriage rights to same-sex couples.

The commission was created in September

Continued on page 27

PHOTOCOPY
PRESERVATION

Hawaii commission O

Continued from page 1

of this year in response to growing concern by some state legislators about a state supreme court ruling that the state cannot deny same-sex marriage licenses to couples unless it can demonstrate a "compelling" governmental need to deny licenses to same-sex couples. In issuing its ruling in May 1993, the Hawaii Supreme Court sent the case, *Baehr v. Lewin*, back to the trial court level to give the state a chance to demonstrate its reasons for denying licenses to same-sex couples. The trial court was scheduled to hear the state's case earlier this year, but agreed to postpone it until July 1996.

In making its recommendation, the seven-member commission said it believes the *Baehr v. Lewin* case brought by three same-sex couples, is "a close parallel" to a landmark ruling in *Loving v. Virginia*. In that case, the U.S. Supreme Court ruled in 1967 that "There is patently no legitimate overriding purpose" for the state of Virginia to prohibit marriage between a white person and a person of another race.

The commission also said it believes denying same-sex couples marriage licenses constitutes a violation of their rights, under the U.S. and state constitutions, to equal protection of the law.

The commission specifically threw out an argument made by some: that same-sex marriage should be barred because "it would not lead to procreation." The commission said that argument was "invalid, inconsistent and discriminatory"

It also dismissed religiously-based arguments, saying that people who have religious objections to homosexuality can adhere to those beliefs but that those beliefs "cannot be imposed by state law on others who do not subscribe to such beliefs."

The commission's report will be submitted formally on Dec. 6 to the state legislature, along with its draft bill to amend the state marriage law to allow same-sex marriages. But the commission noted that it will also provide an alternative "but more limited solution" — a comprehensive domestic partnership law which would give same-sex couples "most of the rights and obligations of

marriage without being married."

Dan Foley, an attorney representing the couples filing the lawsuit, said this week that the lawsuit would continue unless the legislature votes to approve same-sex marriage.

"We'll support domestic partnership," said Foley, "but not as a substitute for marriage."

Major benefits

One of the commission's tasks was to identify legal and economic benefits for extending marriage rights to same-sex couples. In doing so, the commission reported finding more than a dozen "substantial-quantifiable" benefits which "have economic values attached to them that can be quantified," including:

- health insurance benefits
- retirement benefits
- income tax rate benefits
- estate and transfer tax benefits

The commission noted that while same-sex partners can sometimes "replicate" these benefits through other means, the procedures to do so often carry significant costs. For instance, same-sex partners can change their names to match, as many heterosexual married couples do; but the normal cost of name-change proceedings are about \$300. Where a heterosexual married spouse can automatically inherit an estate and have custody of dependent children, a same-sex couple has to spend as much as \$3,300 to secure legal documents to establish these same benefits. In sum, the commission estimated that the "basic value of a government marriage certificate" is about \$6,800.

The report also noted that the state's recognition of a couple's marriage also qualifies them for numerous federal benefits, "as many of the Federal benefits are driven by the State defined definition of marriage...." These benefits include such things as Social Security ("Certified married couples receive significant advantages in the nation's Social Security programs," noted the report.), the Retirement Equity Act, and the Disability Insurance system.

A key task of the commission was to

Ks same-sex marriage



by Kristi K. Gasaway

Evan Wolfson, an attorney heading up a Marriage Project for Lambda Legal Defense and Education Fund, said he's "delighted" with the commission's report.

recommend specific action which the state legislature should take on this issue. In discussing this responsibility, the commission report said the commission members considered the possibility of recommending a law to recognize domestic partnerships. While it recommended such legislation as "at least represent[ing] an incremental step towards eventual equal rights," it said domestic partnership laws "are designed for couples ... who do not want to get married" and that such legislation "falls short of the protection and commitments inherent in marriage and governmental certification of marriage."

Thus far, only two other governmental bodies have expressed support for recognition of same-sex marriages, both of them this year: the West Hollywood City Council and the Ithaca, N.Y., Common Council. But neither council's action has led to approval for issuing marriage licenses to same-sex couples.

Evan Wolfson, an attorney heading up a Marriage Project for Lambda Legal Defense and Education Fund, said he's "delighted" with the commission's report.

"For the first time at the statewide

level," said Wolfson, "a body that is officially not Gay has been asked to consider what the best answer to dealing with discrimination against Gay couples is, and they have concluded, after months of study, that the answer is to treat people equally."

"What's striking," said Wolfson, "is that they have reviewed every argument suggesting a possible reason for not treating same-sex couples equally and concluded that there is no good reason — let alone a compelling one — for discriminating."

The Hawaii Supreme Court said the state would have to demonstrate a "compelling" reason in order to justify denying marriage licenses to same-sex couples. Legally speaking, a "compelling" reason is one that the court considers an extremely important goal and a goal which the law achieves in a very precise way.

One argument offered by some people opposing same-sex marriages has centered around a purported state interest in promoting "procreation and protection of children," noted the commission. The argument, it said, "is based on the belief that being raised by biological parents is best for the children of Hawaii...."

"The obvious question raised" by this argument, said the commission, is that not all heterosexual couples who get married intend to have children, and some are even incapable, biologically, of doing so. The commission also noted that "in traditional Hawaiian culture a great number of children were raised not directly by the biological parents, but instead by the hanai parents [other relatives or friends]."

"I think it's very hard to argue with their methodical analysis and rejection for every attempt at justifying" denial of same-sex marriage rights, said Wolfson.

Wolfson agreed that, "whatever the legislature does," the *Baehr v. Lewin* ruling will still require the state to come up with a "compelling" reason to deny equal rights in marriage for same-sex couples.

"And no one, throughout this entire process," said Wolfson, "has come up with a compelling reason for discriminating."▼

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November 17, 1995 • Vol. 26, No. 46

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THE GAY WEEKLY OF THE NATION'S CAPITAL

Washington Blade

Sources identify rescue worker

Investigators never got written statement from firefighter who derided accident victim

by Lou Chibbaro Jr.

A D.C. Fire Department official said this week that department investigators never took written statements from seven of the eight firefighters who were the first to arrive on the scene of an August 7 auto accident when a firefighter taunted and reportedly stopped treating a male accident victim because the victim was dressed in women's clothes.

According to Battalion Fire Chief Alvin Carter and Fire Department records, investigators obtained written statements from seven of 16 firefighters and paramedics who responded to the scene of the accident that took the life of Tyrone "Tyra" Hunter. But the records show that only one of those seven statements came from the contingent of eight firefighters who were on the scene when the taunting incident occurred.

Meanwhile, a Fire Department source said this week that one

of the firefighters who was not asked to submit a written statement to investigators is the one who cut open the leg of Hunter's pants while administering medical treatment. Witnesses from the neighborhood of 50th and C streets, SE, where the accident occurred, have said the firefighter who cut open Hunter's pants appeared startled and became belligerent when he observed that Hunter, who wore a blouse and make-up, had male genitals.

At least four witnesses from the neighborhood have told the *Washington Blade* that the firefighter who cut open Hunter's pants is the same person who taunted Hunter, called him a "bitch," and allegedly stopped treating him.

The Fire Department source, who spoke on condition of anonymity, identified the person who cut open Hunter's pants as Adrian C. Williams, a firefighter assigned to the D.C. fire station

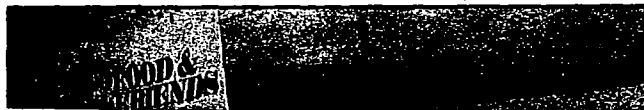
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PHOTOCOPY
PRESERVATION



Fire Chief Otis Latin witnesses have conflicting descriptions of the person who cut open Hunter's pants.

Georgia case



Budget logjam

Georgia case ponders legal definition of term 'spouse'

by Lisa Keen

For the first time in 13 years, a federal court has issued an opinion involving recognition of same-sex marriages and this one, while ruling against a Gay couple as the others did, suggests federal courts may have to recognize same-sex marriages if Hawaii makes them legal.

The judge in this case denied a Gay male couple in Atlanta the right to file a joint petition for bankruptcy. He said federal bankruptcy law makes clear that two people have to be legally married in order to file jointly.

But in his decision, the judge also added his opinion that if a state such as Hawaii "recognizes a legal marriage between a same sex couple, they would qualify" as legally married under the federal bankruptcy law.

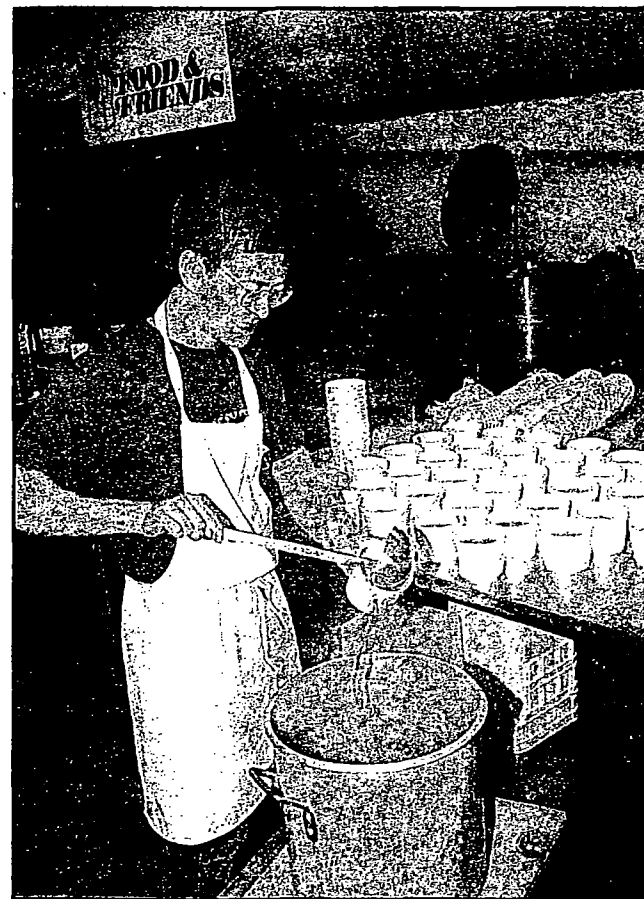
The opinion in the case, *Bone v. Allen*, came from David Kahn, Chief Judge of the U.S. Bankruptcy Court for the northern Georgia district. Kahn has served on the federal bankruptcy bench since 1968 and was appointed chief judge in 1976 by judges of the federal district court.

According to a court clerk, Mary Ida Townson, attorney for the Gay couple, has indicated she intends to appeal the case now to the U.S. District Court for the Northern District of Georgia.

Evan Wolfson, who is heading up the Marriage Project for Lambda Legal Defense and Education Fund, applauded Kahn's opinion as "exciting" but expressed some concern, too.

"It's exciting because, up until now, there have not been many cases addressing how the federal government would respond to Lesbians

Continued on page 23



by Clint Steib

A volunteer ladles hot soup into containers.

Meals on the run

For Food and Friends, delivering hot meals to PWAs is a challenge

by Wendy Johnson

Members of last Friday morning's ten-strong volunteer "packing team" arrived at Food and Friends as early as 6:30 a.m., though chefs David Smith and Paul Fuzi had been there since 5 a.m., steaming 70 heads of broccoli, 70 heads of cauliflower, preparing 60 pounds of homemade macaroni and cheese, and mixing eight gallons of chocolate cake batter.

Continued on page 10

Budget log spells trouble for Ryan White

by Kristina
Campbell

Take your pick: Either the Republicans in Congress are evil because they haven't yet passed a bill reauthorizing the Ryan White CARE Act, or President Bill Clinton is wicked because his refusal to sign the Republican budget reconciliation bill is holding up payments to Ryan White. So it goes in the world of Gay spin.

The Log Cabin Republicans and the 1996 Campaign, both reacting this week to the shutdown and budget stalemate, stood at odds in their interpretations of the situation and its effect on people with AIDS, specifically in the Ryan White CARE Act.

As of *Blade* deadline, the federal government has been shut down for three days because Congress could not agree on a budget for 1996, which began Oct. 1. (Interim measures are keeping the government in operation until Nov. 14.)

For the AIDS lobbying community, the shutdown watched part of the GOP budget proposal that would block grants to the states, which they fear people



Some charge 1
Newt Gingrich v
Ryan White bill

National News

LEGAL BRIEFS

Continued from page 21

tackers, a federal district court judge ruled against him. This month, Lambda Legal Defense and Education Fund filed an appeal to the 7th Circuit U.S. Court of Appeals. It is believed to be the first federal appeals case involving anti-Gay violence in a public school.

According to a Lambda press release, Nabozny suffered a number of physical and verbal assaults for the four years while attending public school in Ashland, a small town on the northern border of Wisconsin. It said that during one assault, "several boys pinned Nabozny to the floor and acted out sexual acts on him, with the class looking on."

The lawsuit charged that by refusing to take action against Nabozny's attackers, the school deprived him of his constitutional rights to due process and equal protection under the law.

SODOM AND THE SCOUTS: A state judge in Trenton, New Jersey, turned to the Bible and "moral law" last week to justify his ruling that a Boy Scout ban on Gays does not violate a state law prohibiting discrimination based on sexual orientation.

New Jersey is one of only nine states which prohibit such discrimination. The law took effect in January 1992.



Lambda's Evan Wolfson said his group would appeal the decision.

James Dale, an assistant scoutmaster and former Eagle Scout, was expelled from his position with the Boy Scouts of Monmouth County in 1990 for being Gay, and, with the help of Lambda Legal Defense and Education Fund, filed suit in July 1992.

Case mulls meaning of 'spouse'

Continued from page 1

and Gays getting married," said Wolfson.

In 1976, a federal appeals bench for the 8th Circuit U.S. Court of Appeals rejected a Gay veteran's claim that the Veteran's Administration should provide educational benefits for his male lover. And in 1982, a 9th Circuit appeals court refused to recognize as legal a marriage license issued by a clerk in Boulder, Colo., to an American man and his Australian lover. The Australian was seeking to immigrate to the U.S.

Wolfson expressed concern about the Atlanta bankruptcy case, *Bone v. Allen*, saying the political groundwork to support a pro-Gay decision in federal court has not yet been laid.

Wolfson has been traveling around the country asking Gay activists to organize public education and to build coalitions to support legal recognition of same-sex marriages. And, when they ask, said Wolfson, he advises activists that, until that groundwork has been laid, they should hold off on going into court.

Wolfson is actively working for Gays to have the right to marry, but he is taking a cautionary strategy because of what happened during the Gays in the military debate two years ago. Many believe Gay activists dropped the ball in the national military policy debate of 1993 by trying to get the president to lift the ban on Gays before prepping the public to support the idea.

Wolfson's strategy on marriage, therefore, is to lay the groundwork now for one very promising case next year — *Baehr v. Lewin* in Hawaii. In that case, the Hawaii Supreme Court ruled in May 1993 that the state cannot deny marriage licenses to same-sex couples unless it can demonstrate some compelling governmental need to do so. A trial, giving the state an opportunity to demonstrate such a need, is scheduled for next July. But the strength of that preliminary ruling two years ago gave Wolfson and other Gay legal activists a great deal of hope for winning a critical legal victory on the issue in Hawaii within the next year or two. By then, Wolfson hopes Gay activists will have been able to educate the public on the need for Gay couples to marry. Without the public's support, says Wolfson, legislatures in other states are likely to pass laws barring legal recognition of same-sex couples married in Hawaii.

they would qualify for relief under [the federal bankruptcy law]. In other words, what is controlling is the fact that the parties are legally married. It is not limited to legally married husbands and wives. The Court has already determined that Congress did not anticipate the marriage, legal or otherwise, of a same sex couple. If it comes to pass that a state does recognize such marriages, and if Congress wants to limit relief under [the bankruptcy law] to married, heterosexual couples, thereby creating a federal standard for the meaning of 'spouse' in the Bankruptcy Code," then Congress, he said, "may amend" the law.

Allen and Favre argued that requiring them to be legally married violates their constitutional rights to due process and equal protection under the law because they, unlike heterosexual couples, cannot get a marriage license. But Kahn dismissed that argument saying the marriage requirement applies equally to all unmarried couples, regardless of whether they are same sex or heterosexual.

"In order for the Court to find a constitutional violation," wrote Kahn, "the Court would have to hold that the denial of a marriage license to the [Gay couple] by the State of Georgia is unconstitutional. This, in essence, is what [Allen and Favre] are asking the Court to do."

But Kahn declined to make such a ruling,



Matt Coles said he doesn't think the bankruptcy case is a "good vehicle for challenging" the law.

PHOTOCOPY PRESERVATION



Lambda's Evan Wolfson said his group would appeal the decision.

of Monmouth County in 1990 for being Gay, and, with the help of Lambda Legal Defense and Education Fund, filed suit in July 1992.

In his Nov. 3 ruling, Superior Court Judge Patrick McGann wrote that it is "unthinkable that in a society where there was universal governmental condemnation of the act of sodomy as a crime, that the BSA could or would tolerate active homosexuality if discovered in any of its members." New Jersey law does not prohibit sodomy, however, a fact which McGann acknowledged this way: "The criminal law has changed. The moral law — as to the act of sodomy — has not."

"Sodomy," he wrote, "is derived from the name of the biblical city, Sodom, which, with the nearby city of Gomorrah, was destroyed by fire and brimstone rained down by the Lord because of the sexual depravity (active homosexuality) of their male inhabitants."

Some Biblical scholars would take issue with Judge McGann's interpretation of the story of Sodom and Gomorrah. What McGann interprets as "active homosexuality," some have interpreted as inhospitality and others have interpreted as sexual violence.

Dale has been involved in scouting since he was eight years old and won numerous honors and merit badges, including the "Order of the Arrow" and, in 1988, an Eagle Scout badge. He then became an assistant scoutmaster, but in 1990 was kicked out of the Scouts after a local newspaper ran a photo of an event focusing on gay teens and Dale was in the picture.

Lambda's Evan Wolfson said his group would appeal the decision.

—Lisa Keen

gave Wolfson and other Gay legal activists a great deal of hope for winning a critical legal victory on the issue in Hawaii within the next year or two. By then, Wolfson hopes Gay activists will have been able to educate the public on the need for Gay couples to marry. Without the public's support, says Wolfson, legislatures in other states are likely to pass laws barring legal recognition of same-sex couples married in Hawaii.

But while Wolfson says he still thinks "it would be better if people were not testing this now," he does consider the language in the Atlanta bankruptcy decision to be "good."

In *Allen v. Bone*, Chief Judge Kahn said that the Gay couple, Zachariah Allen and Glen Favre, have a relationship with "many of the same characteristics of a typical marriage...." They exchanged vows of commitment in a religious marriage ceremony conducted by a Baptist minister, they have lived together for more than two years, and they accumulated a sizable debt together. They tried to file a bankruptcy petition together, too. And, under the federal bankruptcy law, an individual can file for bankruptcy to cover his or her debt and that of "such individual's spouse."

Kahn noted that the bankruptcy law does not provide a definition for the term "spouse." He noted that, in constructing the law, members of Congress prepared reports which did specify that they were talking about "a wife and a husband." But Kahn said he did not find anything in those reports "to indicate that Congress ever contemplated or anticipated that a same sex couple would attempt to file a joint petition" or that the report language "demonstrates that same sex couples are to be excluded."

Kahn noted that previous courts have rejected joint petitions by a parent and child and by an unmarried heterosexual couple. Thus, he said, the key aspect of "spouse" "presupposes a marriage."

In deciding that the term "spouse" in bankruptcy petitions requires legal marriage, Kahn said he is aware "that there may come a time when a state does legally recognize a marriage between a same sex couple," and he specifically cited Hawaii.

"In the Court's opinion," wrote Kahn, "if a state recognizes a legal marriage between a same sex couple,

are asking the Court to do."

But Kahn declined to make such a ruling, saying that there is no

evidence that Allen and Favre ever *tried* to get a marriage license in the state of Georgia. And while he declined to rule on whether denial of such a license would be constitutional, he did include a footnote pointing out a 1986 U.S. Supreme Court ruling that declared Georgia's law prohibiting homosexual sodomy to be constitutional.

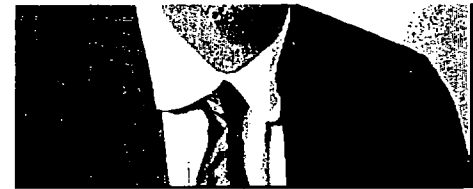
Matt Coles, head of the ACLU's National Lesbian and Gay Rights Project, said that while Kahn's decision may be "unfair," it is "probably correct that right now the bankruptcy code only recognizes two people are married if the state they're located in does." He said he doesn't think the bankruptcy case is a "good vehicle for trying to challenge" that law.

Allen and Favre's attorney, Townson, said Lambda's Wolfson advised her that it would better not to press the case as a same-sex marriage case, but she said that her clients had already filed their claim by that point and that they felt they had no choice.

"If they couldn't file jointly," said Townson, "they'd each have to file their own cases...pay two attorneys's fees, two filing fees, have the debts administered separately—it's all very confusing. If it turns out to be a major case, fine, but we had two people who needed assistance and they needed it right then."

Amelia Craig, head of Gay & Lesbian Advocates & Defenders which also has a Marriage Project, said she disagrees with Kahn's assessment that there is no constitutional violation of equal protection or due process.

"Our law," she said, "has given special preferences to married couples....Our courts have said same gender couples are not entitled to be treated the same as married spouses, but they deny them the claim to marry. It's a Catch 22." ▼



Matt Coles said he doesn't think the bankruptcy case is a "good vehicle for trying to challenge" the law.

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HEADLINE: Hillary Clinton on parenting, politics

SOURCE: EXAMINER POLITICAL EDITOR

BYLINE: CARLA MARINUCCI

BODY:

As she prepares to visit the city that recently endorsed wedding ceremonies for gay couples, Hillary Rodham Clinton says that "children are better off if they have a mother and a father."

"My preference is that we do all we can to strengthen traditional marriages, and that the people engaged in parenting children be committed to one another and to the child," the first lady told The Examiner. "We also have to be realistic and know there are others who can do a good job, as well, of raising children."

Clinton would not go so far as to sanction gay marriages, a recent debate in the California Assembly, but she acknowledged, "There are people who are able to fulfill the functions of child rearing who don't fit into the traditional pattern. Whether they are grandparents or neighbors or unrelated to a child, we have to look to see what is best for the child."

In a wide-ranging telephone interview with The Examiner on Tuesday, Clinton also discussed Mayor Brown's proposal to hire young inner-city men to patrol Muni, the Assembly's proposed paddling bill and the pressures of parenting a daughter in the dating years.

She said President Clinton's subpoena to testify at a trial related to the Whitewater land deal wouldn't yield any surprises and commented on whether criticism of her high-profile role as first lady had led to the virtual absence from the campaign trail of some Republican challengers' wives, such as that of Steve Forbes.

Clinton's interview with The Examiner came before her visit to San Francisco on Thursday during the national tour of her best-selling book, "It Takes a Village."

The first lady said she hadn't discussed with Brown, a recent guest at the White House, his proposal to ask young men to help reduce crime on Muni buses.

"I think it has to be done very sensitively, and the young people need to be chosen carefully and trained appropriately," she said, "but it could be something worth exploring."

The San Francisco Examiner, February 7, 1996

Clinton said she would like to see "acceptable young people, who have the right attitudes, given responsibility for helping to patrol streets, watching for younger children, supervising playgrounds, having some stake in rebuilding their communities."

Asked about a rash of recent Republican-sponsored legislation regarding children, including tougher juvenile sentencing and even paddling in public schools, Clinton said, "I think there's a lot of frustration in the country (in dealing with) social problems . . . certainly with regard to children's behavior and violence."

"We make a mistake when we invest more in punishment than we do on prevention," she said. "We know what works. It's just a question of whether we will have the political will, and be willing to invest the resources in having enough of the support families need, so they can do the job they should themselves."

Clinton dismissed Gov. Wilson's recent criticism of her book that it was not the "village," but parents, who raised children.

It is time to "put aside all the rhetoric and the partisanship, to try and figure out what we can do together to solve problems" of child welfare, she said. Referring to Wilson's efforts to build more prisons, Clinton said, "We will never build enough prisons to end our crime problem."

Campaign roles

Clinton addressed whether the wives of the Republican presidential candidates had stayed out of the campaign spotlight because her high-profile role as first lady has sparked criticism.

"Maybe it's not as politically smart to be as direct about who you are, and what you believe in, but that's how I have always lived my life, and (for me) it's an appropriate decision," she said.

"Certainly, Wendy Gramm (wife of Sen. Phil Gramm of Texas) was head of the commodities futures commission, and she's on a lot of corporate boards," she said. "Libby Dole (wife of Sen. Bob Dole of Kansas) was obviously someone who's had her own successful career. A lot of these women have done things on their own, as well as with their husbands, and they'll have to decide how they want to be presented."

Clinton responded to a recent Examiner poll showing the president at a 21/2-year high in approval ratings among California voters, despite Whitewater and her testimony before a federal grand jury.

"The American public is smart," she said. "They're going to sort out these partisan charges aimed against us, particularly against me. They're going to weigh them carefully, and they're going to conclude there's nothing to them."

The president, facing a subpoena in a Whitewater-related trial, "will be saying what he has said publicly, so there is not going to be any surprise there," she said, adding that presidents from Thomas Jefferson to Ronald Reagan had been called to testify on legal matters.

The San Francisco Examiner, February 7, 1996

Asked about Whitewater's effect on her husband's re-election campaign, the first lady said: "Four years ago, we were asked if we had lost money on this failed land deal, and we said we had. And they said prove it, and we tried to prove it. And they wouldn't believe us because they didn't choose to. Four years later, an independent study by the government spent \$ 4 million to prove that we lost \$ 40,000.

"All of these charges are dry holes, and they will continue to be seen as such, and people will sort that out for themselves," she said.

Clinton acknowledged perceptions the family had profited from its financial dealings, but "given the legal fees we've had to incur in order to defend ourselves, we are bankrupt," she said. "We kept telling people we don't have hidden money. . . . We don't even own a house, except the half interest we have in the house my mother lives in, to help support her. My husband has his old Mustang, and I have my 1986 Oldsmobile. And that's it. So the idea that anybody who knows us would take any of this stuff seriously is just not believable."

Dating game for Chelsea

Clinton said she faced not only public pressures, but personal and family challenges, in the months ahead. As November looms, the first lady said she would balance her roles as wife, campaigner on the road and, perhaps toughest of all, parent of a teenager now entering the dating years.

"My husband and I have always found time, and made it a priority, to spend time with Chelsea, and we continue to do that . . ." she said. "Really, we have tried to stay as involved in her life as a teenager would let us.

"Some days are better than others," she added with a laugh.

Clinton said she had discussed dating and its challenges with her daughter.

"Sure, we started talking with her about respecting herself, about taking responsibility for herself, when she was a toddler," she said. "She knows what our values are. She knows right and wrong, and what appropriate behavior is, and is not. And part of what we have done is to spend a lot of time, going back years, in preparation for letting loose a little.

"You can't govern every minute of a child's life. You can't be permissive and let children fend for themselves. You have to strike a balance between giving them direction, making it clear what's expected and allowing them some space to be themselves."

A bright spot in the months to come, she said, will be her trips to The City. "San Francisco is one of my favorite places in the world, and I have a lot of good friends there," Clinton said.

Already, 800 people have bought \$ 125 seats, and 1,500 more are demanding them, for her April 12 appearance at a fund-raising lunch for Sen. Barbara Boxer.

And Clinton said she expected to return many times during the upcoming campaign: "If I could be assigned San Francisco, I'd take it."
SEE ALSO SIDEBARS (FIRST LADY'S VISIT), (HILLARY CLINTON IN HER OWN WORDS)

The San Francisco Examiner, February 7, 1996

GRAPHIC: COLOR PHOTO (AP / WILFREDO LEE)

Caption 1, Hillary Rodham Clinton will be in The City on Thursday promoting her book, "It Takes a Village."

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2. Daily News (New York), February 12, 1996, Monday, News; Pg. 7, 669 words, MAD SCRAMBLE IN IOWA BOB'S AHEAD, THE REST BATTLE TO BE HIS RIVAL, By KAREN BALL Daily News Washington Bureau, With Lars-Erik Nelson
3. The San Diego Union-Tribune, February 12, 1996, Monday, NEWS; Ed. 1,2,3; Pg. A-1, 1120 words, Make-or-break time starts for Republican hopefuls, JOHN MARELIUS Staff Writer Copley News Service correspondent George
4. Financial Times, February 12, 1996, Monday, Pg. 3, 648 words, Forbes fails to cheer Iowa's Christian right, By PATTI WALDMEIR
5. The San Francisco Chronicle, FEBRUARY 12, 1996, MONDAY, FINAL EDITION, NEWS; Pg. A1, 1265 words, Right Makes Might in Iowa Religious conservatives hold key to today's caucuses, Susan Yoachum, David Tuller, Chronicle Staff Writ, Des Moines
6. The Gazette (Montreal), February 12, 1996, Monday, FINAL EDITION, WORLD REPORT; Pg. B1 / BREAK, 962 words, Forbes collides with religious right in Iowa, JULIAN BELTRAME; SOUTHAM NEWSPAPERS; SOUTHAM NEWS, DES MOINES, Iowa
7. The Houston Chronicle, February 12, 1996, Monday, 3 STAR Edition, a; Pg. 2, 539 words, CAMPAIGN 96; PRESIDENT; Gramm preaching family and morals to lure Iowa voters, R.G. RATCLIFFE; Staff, DES MOINES, Iowa, Elections Presidential
8. Sacramento Bee, February 12, 1996, METRO FINAL, MAIN NEWS; Pg. A1, 1520 words, GOP FOES FIRE AWAY IN IOWA, Ken Chavez, Bee Capitol Bureau, DES MOINES, Iowa
9. The Washington Post, February 12, 1996, Monday, Final Edition, A SECTION; Pg. A08, 1200 words, Republican Contenders Show Little Division on Fundamental Issues, Kevin Merida, Washington Post Staff Writer, DES MOINES, Feb. 11
10. The Washington Post, February 12, 1996, Monday, Final Edition, STYLE; Pg. B01, 2669 words, Bob Dole's Winter Crop; The Senator Touts His Experience, but Iowans Aren't Sure That's What They Want, Marc Fisher, Washington Post Staff Writer, DES MOINES
11. Daily News (New York), February 11, 1996, Sunday, News; Pg. 30, 450 words DOLE, FORBES SLING IT, By KAREN BALL Daily News Washington Bureau
12. The Detroit News, February 11, 1996, Sunday, Front;, 474 words, Anti-gay marriage rally turns into GOP campaign event in Iowa, By Deb Price / The Detroit News, DES MOINES
13. Los Angeles Times, February 11, 1996, Sunday, Home Edition, Part A; Page 18; National Desk, 1109 words, CAMPAIGN '96; IOWA ENDGAME FINDS FORBES ON DEFENSIVE; GOP: PUBLISHER IS WEIGHED DOWN BY RUMORS AND ATTACKS. FRONT-RUNNER DOLE DENIES ORCHESTRATING NEGATIVE CAMPAIGN AGAINST HIS TOP CHALLENGER IN MONDAY CAUCUSES., By STEPHEN BRAUN and RONALD BROWNSTEIN, TIMES STAFF WRITER, DES

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16. The New York Times, February 11, 1996, Sunday, Late Edition - Final, Section 1; Page 26; Column 1; National Desk, 1100 words, POLITICS: THE OVERVIEW; With the Field Now Scrambled, Iowans Prepare to Vote, By RICHARD L. BERKE, DES MOINES, Feb. 10
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19. The New York Times, February 9, 1996, Friday, Late Edition - Final, Section C; Page 16; Column 5; Weekend Desk , 429 words, Last Chance
20. The San Francisco Chronicle, FEBRUARY 8, 1996, THURSDAY, FINAL EDITION, EDITORIAL; Pg. A22; LETTERS TO THE EDITOR, 1225 words, LETTERS TO THE EDITOR
21. Chicago Tribune, February 6, 1996 Tuesday, EVENING UPDATE EDITION, NEWS; Pg. 2; ZONE: C; EVENING. People. QUOTES OF THE DAY., 378 words
22. Los Angeles Times, February 6, 1996, Tuesday, Home Edition, Part A; Page 5; National Desk, 1226 words, CAMPAIGN '96; GOP RIVALS TAKE AIM AT FORBES; DOLE QUESTIONS THE ECONOMIC IMPACT OF FLAT TAX. OTHERS ATTACK THE PUBLISHING HEIR OVER SOCIAL VIEWS., By STEPHEN BRAUN and HENRY CHU, TIMES STAFF WRITERS, DES MOINES
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24. USA TODAY, February 6, 1996, Tuesday, FINAL EDITION, NEWS; Pg. 6A, 1164 words, For Forbes, that's then, this is now // Candidate takes a right turn, Judi Hasson
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29. The Washington Post, February 04, 1996, Sunday, Final Edition, A SECTION; Pg. A01, 1039 words, Forbes Adds Social Themes To Modified Iowa Message; Influence of Conservative Caucus-Goers Felt, Thomas B. Edsall, Washington Post Staff Writer, DES MOINES, Feb. 3
30. The Independent, February 3, 1996, Saturday, INTERNATIONAL; Page 8, 486 words, Forbes flies in face of hard right, RUPERT CORNWELL Washington
31. THE DALLAS MORNING NEWS, February 2, 1996, Friday, STATE EDITION, NEWS; AROUND THE U.S.; Pg. 6A, 636 words, AROUND THE U.S., From Wire Reports
32. THE DALLAS MORNING NEWS, February 2, 1996, Friday, HOME FINAL EDITION, NEWS; AROUND THE U.S.; Pg. 6A, 680 words, AROUND THE U.S., From Wire Reports
33. Rocky Mountain News, February 2, 1996, Friday, NEWS/NATIONAL/INTERNATIONAL; Ed. F; Pg. 50A, 520 words, NATIONAL NEWS BRIEFING, Rocky Mountain News wire services
34. The Tampa Tribune, February 2, 1996, Friday, FINAL EDITION, Pg. 4, 309 words, States try to block same-sex unions
35. The Washington Post, February 02, 1996, Friday, Final Edition, A SECTION; Pg. A12; THE RACE FOR PRESIDENT, 628 words, Forbes Brings Message From the Airwaves to Iowa Roadways, Thomas B. Edsall, Washington Post Staff Writer, COUNCIL BLUFFS, Iowa, Feb. 1
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38. The Tampa Tribune, January 31, 1996, Wednesday, FINAL EDITION, Pg. 10, 1430 words, LETTERS
39. Chicago Sun-Times, January 30, 1996, TUESDAY, Late Sports Final Edition, NWS; NATION BRIEFS; Pg. 16, 306 words, NAT30011996
40. The Tampa Tribune, January 27, 1996, Saturday, FINAL EDITION, Pg. 14, 1438 words, LETTERS
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42. The Detroit News, January 19, 1996, Friday, LetterstotheEditor;, 1123 words, Letters to the Editor 9600032576:

LEVEL 1 - 83 STORIES

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45. The Sun (Baltimore), January 14, 1996, Sunday, FINAL EDITION, Pg. 1A, 2234 words, Will justices bar sex bias?; Key case: Feminists and the Clinton administration hope the Supreme Court will outlaw all sexual discrimination when it rules on a case challenging the right of Virginia Military Institute to exclude women., Lyle Denniston, SUN NATIONAL STAFF
46. The Guardian, January 13, 1996, THE GUARDIAN WEEKEND PAGE; Pg. 18, 6640 words, GURUS OF THE THIRD WAVE; In the Sixties Alvin and Heidi Toffler were 'way to the left of socialism'. Together they wrote Future Shock, the best-selling book which accurately predicted the world we live in now. Today they're part of Newt Gingrich's inner circle.And they're still pretty certain of what tomorrow will bring, Linda Grant
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48. The Tampa Tribune, January 12, 1996, Friday, FINAL EDITION, Pg. 15, 958 words, Same-sex marriage looms as the public-policy issue of 1996, MARTIN MAWYER
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51. St. Petersburg Times, December 26, 1995, Tuesday, City Edition, NATIONAL; Pg. 1A, 2032 words, Gay Republicans caught in no-man's-land of politics, ANNE HULL, WASHINGTON
52. The Baltimore Sun, December 22, 1995, Friday, FINAL EDITION, Pg. 3A, 560 words, U.S. appeals court rules on same-sex couples' rights; Constitution protects 'intimate association', Lyle Denniston, SUN NATIONAL STAFF
53. The Houston Chronicle, December 22, 1995, Friday, 3 STAR Edition, a; Pg. 19, 359 words, Appeals court limits intrusion by states on gay relationships, LYLE DENNISTON; Baltimore Sun, WASHINGTON
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LEVEL 1 - 83 STORIES

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56. The New York Times, December 11, 1995, Monday, Late Edition - Final, Section A; Page 2; Column 5; Metropolitan Desk, 900 words, NEWS SUMMARY
57. Rocky Mountain News, December 11, 1995, Monday, NEWS/NATIONAL/INTERNATIONAL; Ed. F; Pg. 35A, 520 words, NATIONAL NEWS BRIEFING, Rocky Mountain News wire services
58. The Detroit News, December 04, 1995, Monday, LetterstotheEditor;, 939 words, What is marriage really all about?
59. Los Angeles Times, November 26, 1995, Sunday, Home Edition, Book Review; Page 2; Book Review Desk, 1341 words, THEY'RE OUT OF THE CLOSET -- WHAT DO WE DO NOW?; WE CAN'T INCORPORATE GAY MEN AND LESBIANS IN OUR POLITICAL LIFE IF WE DON'T KNOW HOW TO TALK TO THEM; VIRTUALLY NORMAL: AN ARGUMENT ABOUT HOMOSEXUALITY, BY ANDREW SULLIVAN (ALFRED A. KNOPF: \$22; 209 PP.); VIRTUAL EQUALITY: THE MAINSTREAMING OF GAY AND LESBIAN LIBERATION, BY URVASHI VAID (ANCHOR BOOKS: \$24.95; 440 PP.), By Robert Dawidoff, Robert Dawidoff chairs the history program at the Claremont Graduate School. He is the co-author with Michael Nava of Created Equal: Why Gay Rights Matter to America (St. Martin's Press).
60. Chicago Tribune, November 23, 1995 Thursday, DU PAGE SPORTS FINAL EDITION, TEMPO; Pg. 1; ZONE: NED, 1689 words, OVER THE RIVER AND THROUGH THE MILL; TALK ABOUT A BITTER HARVEST-THESE HOLIDAY HORROR STORIES ARE ENOUGH TO MAKE THE TURKEY FEEL THANKFUL, By Cheryl Lavin, Tribune Staff Writer.
61. The Washington Post, November 12, 1995, Sunday, Final Edition, STYLE; Pg. F01, 4297 words, HOLY HELL; Fred Phelps, Clergyman, Is on a Crusade. It's Mean and Cruel and Filled With Hate. Can He Be Stopped? Should He Be? A Matter of Legal Rights . . . And Moral Wrongs., Annie Gowen, Special to The Washington Post, TOPEKA, Kan.
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67. The Washington Post, October 18, 1995, Wednesday, Final Edition, STYLE; Pg. B01, 3115 words, PINK ELEPHANTS; It Isn't Easy Being a Gay Republican., Megan Rosenfeld, Washington Post Staff Writer
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72. The Times, September 23, 1995, Saturday, Features, 2340 words, Inside outsider, Anne McElvoy
73. The Detroit News, September 22, 1995, Friday, Metro;, 680 words, Gay leader to express ire to Dole 9500017313:, By Charlie Cain, Detroit News Lansing Bureau Chief
74. USA TODAY, September 15, 1995, Friday, FINAL EDITION, NEWS; Pg. 8A, 2710 words, ACROSS THE USA: NEWS FROM EVERY STATE, ALABAMA SARALAND
75. The Washington Post, September 12, 1995, Tuesday, Final Edition, STYLE; Pg. B01; THE MAGAZINE READER, 1470 words, Political Animals Between the Covers, William F. Powers, Washington Post Staff Writer
76. The Washington Post, August 28, 1995, Monday, Final Edition, STYLE; Pg. D06; THE TV COLUMN, 1657 words, The TV Column, John Carmody, Washington Post Staff Writer
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LEVEL 1 - 83 STORIES

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82. Newsday, February 26, 1995, Sunday, CITY EDITION, NEWS; UNCOMMON LAW; Pg. A11, 671 words, NYU Fellowship for Gay Rights, By Mary Voboril. STAFF WRITER, COLUMN; NEW YORK UNIVERSITY; COLLEGES; FELLOWSHIP; HOMOSEXUAL; LAW; TOM STODDARD;

83. THE PHOENIX GAZETTE, February 1, 1995 Wednesday, Final, SPORTS; Pg. E1, 618 words, PLEASE, DON'T LET REPLACEMENTS PLAY IN MAJORS, By Chris Cobbs / THE PHOENIX GAZETTE

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The Detroit News

February 10, 1996, Saturday

SECTION: Accent;

LENGTH: 482 words

HEADLINE: Presidential hopefuls promise to support Iowa rally against same-sex marriages

BYLINE: By Deb Price / The Detroit News

BODY:

Just 48 hours before Iowa's Republican presidential caucuses, gay marriage will explode into a major national political issue tonight in Des Moines at an anti-gay rally supported by the entire Republican field.

With Hawaii poised to become the first state to legalize same-sex marriage within two years, conservative political groups, including televangelist Pat Robertson's Christian Coalition, have united in demanding that presidential candidates publicly pledge their opposition to gay marriage.

All eight Republican contenders have promised to sign such a pledge, and Steve Forbes has already done so, according to rally organizer Phil Burress.

Tonight's rally at First Federated Church, a nondenominational fundamentalist Christian church, is intended to throw a national spotlight on opposition to marriage rights for gay couples.

Candidates Lamar Alexander, Patrick Buchanan, Bob Dornan, Phil Gramm and Alan Keyes will address the huge rally, says Burress, president of a Cincinnati group that in 1993 successfully pushed a city referendum outlawing anti-bias protections for gay men and lesbians.

Front-runner Bob Dole and Richard Lugar have sent their regrets, citing scheduling conflicts, according to Burress, who added that Forbes is trying to change his schedule to enable him to attend. President Clinton, who is on record opposing gay marriage, declined an invitation, Burress said.

The "Marriage Protection Resolution" that the candidates have pledged to sign concludes, "Resolved, the State should not legitimize homosexual relationships by legalizing same-sex 'marriage' but should continue to reserve the special sanction of civil marriage for one man and one woman as husband and wife."

Pressure on the Republican candidates will not end with their taking the pledge.

"Signing it is only the first step. ... We want to make sure they are willing to go to the mat on protecting the family in the heterosexual capacity," said the Rev. Lou Sheldon, founder of the Traditional Values Coalition.

Sheldon said he's in the process of helping draft legislation to prevent legalization of gay marriage by either federalizing marriage laws or amending

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The Detroit News, February 10, 1996

the U.S. Constitution.

The 7 p.m. (CST) rally, moderated by actor Charlton Heston and kicking off a movement called the National Campaign to Protect Marriage, is also supported by the American Family Association, Colorado for Family Values, Concerned Women for America, Phyllis Schlafly's Eagle Forum, Focus on the Family and The Report.

A counterrally and candlelight vigil begin outside the church at 5:30 p.m.

"We're going to get fair-minded Iowans of every walk of life to be there and hold two candles -- one for themselves and one for a person too intimidated to be out," said Kirk Bragg, spokesman for the sponsoring group, Iowa's chapter of the National Association of Social Workers.

LOAD-DATE: February 10, 1996

Sex change marriages legalized

The Singapore government announced January 24 that it will allow people who have undergone gender reassignment surgery to legally marry, Reuters reported.

Current Singapore law will be amended to permit a person who has "undergone a sex-reassignment procedure" to be identified as the "same sex to which he/she has been re-assigned," Reuters quoted a government document as saying.

According to Singapore television, as reported by Reuters, Community Development Minister Abdullah Tarmugi said the proposed amendment would note the new gender on individuals' identity cards rather than their birth certificates.

Within the last 25 years, more than 500 people have undergone sex-change operations in Singapore hospitals, according to Reuters.

BLADE 2/2/96 at 10

CAPITOL HILL UPDATE

PRO-GAY HOUSE MEMBER

WINS SENATE RACE: U.S. Rep. Ron Wyden (D-Ore.), a strong supporter of civil rights for Gays, won a narrow victory over conservative Republican challenger Gordon Smith January 30 in a race considered a possible bellwether on how Republicans and Democrats will do in November. Wyden and Smith ran in a special election called to replace Sen. Bob Packwood (R), who resigned over allegations of sexual harassment.

Wyden has been a longtime co-sponsor of the House Gay civil rights bill and has supported efforts to lift the ban on Gays in the military.

"By electing Wyden, voters chose a senator who is committed to bringing people together, supporting policies that treat Lesbian and Gay people fairly, and serving all residents of his state," said Daniel Zingale, political director of the Human Rights Campaign.

HRC's political action committee contributed \$10,000 to Wyden's campaign, the maximum amount allowed by federal election laws. HRC also gave \$5,000 to the Oregon Democratic Party and another \$5,000 to the Democratic Senatorial Campaign Com-

mittee, with the understanding that both would be working on Wyden's behalf.

GAY PARTNER OF HILL

STAFFER IS 'APPROVED': Rep. Nancy Johnson (R-Conn.), chair of the House ethics committee, and Rep. Jim McDermott (D-Wash.), ranking minority member of the committee, told openly Gay House staffer Jeff Coudriet that his relationship with his domestic partner meets the criteria for an exemption under a newly enacted rule restricting gifts. The rule, among other things, requires House members and House staffers from accepting personal gifts from friends without obtaining permission from the ethics committee each time a gift is received with a value greater than \$250.

However, the rule allows members or staffers to receive an exemption from the requirement when the gifts come from a spouse or personal friend who is declared by the member or staffer as a domestic partner.

Coudriet believes he is the first Gay staffer to be granted an exemption on the "Gay spouse" exemption.

—Lou Chibbaro Jr.

THE WASHINGTON BLADE

2/9/96 at 19

LOS ANGELES

Calif. — Two Hollywood studios have joined the list of those that extend benefits to domestic partners of Gay employees. DreamWorks SKG, with an employee base of 500 people, recently began offering the benefits and Metro-Goldwyn-Mayer Inc., which employs 800 people fulltime, began Feb. 1. Hollywood Supports, an organization of leading movie industry figures that works to fight discrimination on the basis of HIV status and sexual orientation, said the move by both companies leaves only one movie studio in Hollywood that does not offer domestic partner benefits.

BLADE 2/2/96 at 14

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Socarides Richard

From: Channel Q
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Subject: IMPORTANT - USA TODAY
Date: Tuesday, January 02, 1996 8:05AM

SPECIAL ALERT:

Today's (Tuesday, January 2) issue of USA TODAY features a rather long article on gay marriage. If you have any comments on this issue, or feel that any quotes in the following article need rebuttal, letters to the editor to USA TODAY must be faxed or e-mailed IMMEDIATELY. Letters same-day have the best chance of publication because they often like to run them the following day.

Include your name, address, and - very important: your daytime and evening telephone numbers for confirmation purposes. Letters which are concise and to the point have the best chance at publication, and so do letters which tell a sincere, heartfelt personal story or have strong opinion related to this issue.

USA TODAY is America's widest-read newspaper, with 6 million readers every day. Even if your letter is not selected for publication, it will improve the chances that others on this topic will be selected by the editors. Editors select letters to the editor based on overall response, so dash off something - anything - if you can.

Send your letter to USA TODAY to:

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**USA TODAY
"NATION"**

Tuesday, January 2, 1995

LEGAL GAY MARRIAGE ON HAWAII'S HORIZON

By Carl Weiser, Gannett News Service

WASHINGTON - The first legal gay marriage could take place this year in Hawaii.

~~If it happens, according to activists on both sides of the debate, it will trigger a national fight about the family, gay rights and love itself.~~

Every state will have to decide where it stands on the question of gay men and lesbians marrying and whether to recognize Hawaii's marriages.

"I do think this will become a huge issue in 1996. It may well be a key issue in the presidential campaign," says Robert Knight of the Family Research Council, which opposes gay marriages.

"The time for discussing whether to seek the freedom to marry has passed because we are likely to win it," says gay marriage advocate Evan Wolfson, director of the Marriage Project at the Lambda Legal Defense and Education Fund. "The big question is going to be: Will we be able to keep it against the ferocious backlash of our enemies?"

The debate is not just about abstract concepts such as the definition of a family or the rights of a minority. It's also about mundane matters: taxes, funerals and health benefits.

Toshav and Phillip Storrs, a gay couple in Ithaca, N.Y., understand the significance of Hawaii's proposal. They are trying to buy a house. Though they consider themselves married, banks treat them as business partners.

"They see us as two different individuals . . . with no financial interest in staying together," Toshav Storrs says.

But the Storrs won't rush off to Hawaii. "Not unless someone gave us the money," says Toshav Storrs, a hotel desk clerk. "I need to wait for New York to take action, or at least somewhere in my region."

The controversy over legalizing gay marriages comes as gay marriages are

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becoming a more prominent part of American culture:

A Dec. 12 episode of TV's Roseanne featured a marriage between two men. ABC delayed airing the show until 9:30 p.m., an hour and a half after its usual - more child-friendly - time of 8 p.m. Cable TV showed a gay marriage in 1994 when the HIV-positive Pedro Zamora on MTV's The Real World tied the knot with his lover, Sean. The Jan. 18 episode of NBC's Friends will show a lesbian wedding.

An increasing number of churches perform gay marriage ceremonies. Toshav and Phillip Storrs were married in a Jewish "commitment ceremony" in June.

The Episcopal Church is studying gay marriage, and presiding bishop Edmond Browning has said he is "sympathetic" to such a move.

Some cities allow gay partners to register as couples, giving them some legal rights. Though not the equivalent of marriage, the registry provides official notice that two people are a couple. Palo Alto, Calif., became the latest city to create a domestic partner registry in December; Denver and Boulder, Colo., are considering it.

A few hundred companies and municipalities now extend benefits to gay partners of employees. Those companies include Time Warner, Nynex, Walt Disney, Levi Strauss, Apple Computer, Lotus Development and Microsoft.

But domestic partner registries and employee benefits don't equal legal marriages, gay activists insist. That's what gays want. "Not gay marriage. Marriage," says Wolfson.

In Hawaii, legal gay marriages are moving forward on two fronts:

A gubernatorial commission has recommended that gay couples be allowed to marry, but the Legislature has not changed the law to allow it.

The state Supreme Court also has ruled that denying marriage licenses to gay couples is unconstitutional unless the state can prove a "compelling interest." The state attorney general is preparing to argue its case for a "compelling interest" before the court in July.

Court observers doubt justices will buy the argument. Most expect that after a few more legal maneuvers the court will legalize gay marriage.

"There will be a day when lesbian and gay people will be allowed to marry. We're definitely moving in that direction," says David Smith, spokesman for the Human Rights Campaign, the nation's largest gay and lesbian political organization.

"Unless the Hawaiian Supreme Court suddenly is hit with a dose of reality, they will take the radical step of validating homosexual relationships as marriage," says the Family Council's Knight. "This presents a problem for the other 49 states."

His suggestions: States should pass laws now to make it clear that marriage is strictly between a man and a woman. And they shouldn't worry about whether to recognize those Hawaiian marriages.

To groups such as the Family Research Council, gay marriage is "an oxymoron, an ideological invention designed . . . toward the goal of government-enforced acceptance of homosexuality," Knight says.

He calls gay marriages "counterfeit," saying that marriage must be the joining of a man and a woman. If states allow two men or two women to marry, why stop there?

"Why not three men? Three women? A man and a boy?" he says.

Tim Wildmon, vice president of the American Family Association, says gay people should have the right to vote, to work, to be free of violence - but not to marry. "We just believe it's plain immoral. It goes against the holy Scriptures," he says.

Both Wildmon and Knight say gay marriages could lead to more gay adoptions of children, "which I consider a deep threat to children's well-being," Knight says.

Are other families "going to want their children to stay over with Johnny and Bobby for the weekend? To be openly exposed to that kind of lifestyle, that kind of behavior? I think it could create great tension among a lot of American families."

The Marriage Project's Wolfson says there are only two issues: whether gay people should be allowed a right that everyone else enjoys, and whether states can "strip their marital status at the border."

If some states fail to recognize the Hawaiian marriages, then "you're married or unmarried, depending on where you're parking that day," Wolfson says. "Is this a country where we have to get a marriage visa stamped every time we cross a state border?"

Wolfson says the issue is simply fairness. "In all 50 states, lesbians and gay men are today denied the basic freedom to marry," he says. "We want the same rights and responsibilities - and I emphasize responsibilities - that non-gay people take for granted."

There is debate within the gay community about pursuing legalization of gay marriages. As with the issue of gays in the military, many gay men and lesbians think the country is not ready - and expect a backlash so ferocious that gay rights will end up curtailed, not enlarged.

With Hawaii in mind, Utah passed a law this year outlawing same-sex marriages. Similar bills were introduced in South Dakota and Alaska.

"The signs, let me tell you, are ominous," wrote Jim Thomas, a columnist for the News-Telegraph, a gay interest tabloid that circulates in Illinois, Missouri, Kansas, Arkansas and Tennessee. "Some of our activists have taken on one of the most important institutions in our culture, particularly for conservatives."

"You heard it here first," he wrote. "We're going to get creamed."

Wolfson agrees that the fights in each legislature or state court will be difficult. But the best thing, he says, is to trigger a national debate, to make Americans start thinking about something they've never considered plausible.

"What I hope will happen is Americans will not close their minds before they've begun to hear the facts, the real stories of real-life people."

Those real-life people are like Toshav Storrs, who offers this short explanation for why he and Phillip should be allowed to marry: "We love each other."