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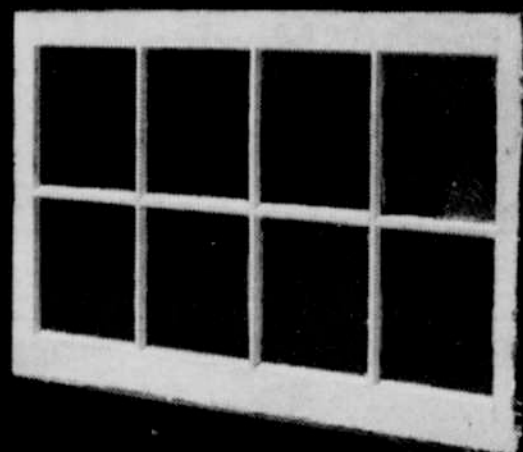


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national news

Job protection introduced

It's not about granting special rights, says Sen. Ted Kennedy, it's "about righting senseless wrongs"

by Bob Roehr

The Employment Non-Discrimination Act is a great endeavor. It is another significant step on freedom's journey—another milestone in the civil rights march of our time," said Sen. Edward Kennedy (D-Mass.) at a news conference introducing the bill.

It prohibits an employer from discriminating on the basis of an employee's sexual orientation in the context of hiring, firing, promotion or compensation.

"This bill is not about granting special rights," said Kennedy. "It is about righting senseless wrongs."

Representatives from approximately two dozen supporting organizations were arrayed behind him. A bevy of television cameras, reporters and supporters before him jammed the hearing room of the Senate Labor and Human Resources Committee.

"This bill is not about statistics. It is about real Americans whose lives and livelihoods are being shattered by prejudice," said Kennedy. He went on to cite examples from across the nation.

"Job discrimination is not only un-American, it is unprofitable and counterproductive," Kennedy pointed to more than a quarter of the Fortune 1000 companies who have moved to eliminate this discrimination and "create a workplace environment where everyone can excel."

"For too long, our nation has tolerated this insidious form of discrimination against this group of Americans, who have worked as hard as any other group, paid their taxes like everyone else, and yet have been denied equal protection under the law," said Coretta Scott King, the embodiment of the civil rights movement.

"As my husband, Martin Luther King Jr., said, 'Injustice anywhere is a threat to justice everywhere.' Like Martin, I don't believe you can stand for freedom for one group of people and deny it to others.

"So I see this bill as a step forward for freedom and human rights in our country and a logical extension of the Bill of Rights and the civil rights reforms of the 1950s and 1960s," said King.

"This is a great day for democracy. Mr. Jefferson and Martin Luther King are smiling," said Justin Dart Jr. Dart was an appointee of former President George Bush and a driving force behind passage of the last great piece of civil rights legislation, the Americans with Disabilities Act.

"Civil rights puts the 'free' in free enterprise. America is not rich in spite of civil rights, America is rich because of civil rights," said Dart.

Rep. Barney Frank took the offensive with a pre-emptive spin: "We tried very hard to anticipate the nonsense, though I will confess, our ability to anticipate nonsense lags behind the ability of our opponents to manufacture it.

"We will run into a great deal of distortion—'don't give special rights to gay men and lesbians,'" said Frank. He called the ENDA "one of the most carefully drafted bills you will ever see...about 20 percent of it tells you what it

doesn't do.

"We have produced a bill that says one thing and one thing only: You cannot be discriminated against on the basis of your sexual orientation. And it absolutely prohibits any other use of this bill."

Frank urged those assembled and the press to go to states that have already passed similar protection for lesbians and gay men and "you will find none of the horror stories that the opponents are going to bring forward."

Ralph Neas, executive director of the Leadership Conference on Civil Rights, the coalition which has led the fight for every major civil rights law since 1957, threw the support of that organization behind the Employment Non-Discrimination Act. He said it is the first time LCCR has "endorsed a specific legislative measure which prohibits discrimination against gays and lesbians."

Kennedy labeled the 30 co-sponsors in the Senate "strong support," noting that a previous gay and lesbian civil rights bill had only gathered 16 co-sponsors. A majority of the members of his Human Resources committee have already signed on. A committee hearing will be scheduled "right after the Fourth of July, and we have every expectation of reporting this legislation out by the end of July," Kennedy said.

Frank and Rep. Gerry Studds (D-Mass.) are the principal sponsors in the House. About 100 members have already signed on as co-sponsors, and the number is still growing. Frank said, "We have been told by a lot of people they are going to vote for it, but don't quite want to co-sponsor it at this point." Hearings in the House are likely after Labor Day.

Frank expressed hopes that

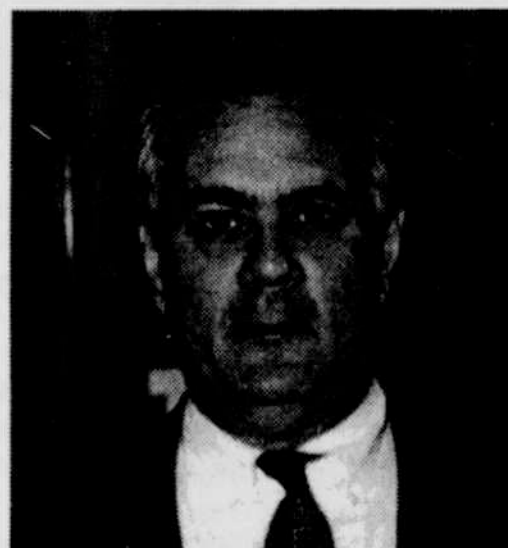
"The presence of genuine bipartisanship on both sides will reduce the temptation to use this for partisan purposes, and we can get this to a debate on its merits. I think we are in very good shape."

Introduction of the bill caps months of work by lesbian and gay and civil rights organizations to forge the draft bill most likely to achieve passage. The Human Rights Campaign Fund played a major role in the process, as did the National Gay and Lesbian Task Force. But the effort also spread to embrace Log Cabin Republicans and several religious denominations.

The bill differs from existing civil rights statutes in that "the ENDA contains a broader religious exemption, and it excludes disparate impact claims. In addition, the ENDA specifically prohibits affirmative action," stated explanatory literature distributed at the news conference.

"Traditional statistical analysis, which lies at the core of most race or gender disparate impact claims, is difficult to conduct in the context of sexual orientation discrimination," it read. "Privacy concerns usually preclude an accurate statistical count of gay, bisexual and straight employees in either the workplace or applicant pool."

The bill does not require companies to offer domestic partner benefits and does not apply to the military.



Rep. Barney Frank