

would be discriminatory, the insurance company has the right to set the specifics of a policy. The appeals court said the cap was a reflection of the high cost of treating AIDS.

Additionally, the appeals court ruled that federal laws prohibit federal courts from regulating insurance companies, which are overseen by state governments.

The insurance company successfully argued that federal disabilities law covers only goods and services offered at a place of public accommodation and not the content of insurance policies.

The two men were represented by attorneys for Lambda Legal Defense and Education Fund.

Expressing disappointment that the Supreme Court "will not provide much-needed guidance to the lower courts on this life and death issue," Lambda staff attorney Heather Sawyer added: "The court did not, however, give a green light to this practice. In declining review, the justices merely indicated they are not ready to rule at this time."



Backpedaling quickly from earlier statements that members of the Joint Chiefs of Staff would have to agree with him about allowing gay men and lesbians to serve openly in the military, Vice President Al Gore said at a Jan. 8 press conference in West Des Moines, Iowa, that he had been misunderstood.

"I did not mean to imply that there should ever be any kind of inquiry into the personal political opinions of officers in the U.S. military, nor would I ever tolerate such inquiries," Gore said.

A story in the Jan. 8 *Washington Post* reported that earlier in the week, while participating in a Democratic debate in New Hampshire, Gore answered affirmatively when asked by moderator Peter Jennings if agreement with his policy would amount to a "litmus test" for senior officers.

During the New Hampshire debate, Gore said he intends to eliminate the current "don't ask, don't tell, don't pursue" policy.

He added: "I think that would require those who wanted to serve on the position of Joint Chiefs to be in agreement with [my] policy."

Gore's campaign insisted he was not changing his position, but clarifying it.

According to Gore, by stating he would apply a litmus test, he meant that he "would insist on having members of the Joint Chiefs who would implement that policy and who would not do anything but implement that policy."

Gore's position on "don't ask, don't tell" is now basically identical to that of former Sen. Bill Bradley, his opponent in the race for the Democratic presidential nomination.

Both Gore's and Bradley's positions may be merely academic.

Said retired Army Col. Joseph J. Collins: "The Gore-Bradley discussion missed the point completely, because before a president can try to convince the Joint Chiefs, he has to convince Congress. What stops gays from serving openly in the military is the Uniform Code of Military Justice, which prohibits specific homosexual acts, and unless the code is changed by Congress, you cannot settle this issue."

NEVADA

A group calling itself the Coalition for the Protection of Marriage in Nevada filed a petition Jan. 4 for a ballot measure that would make it more difficult to legalize same-sex marriage in the Sagebrush State.

If successful, the petition would place an initiative on the ballot that would amend the state constitution to define marriage as between a man and a woman.



"This is an issue of principle, not an issue of economics or wants or needs," said coalition chairman Richard Ziser. "We need to send a clear and positive message to Nevada children

about the importance of marriage."

The Jan. 5 issue of the *Las Vegas Review-Journal* states that, according to Ziser, the intent of the initiative is to protect Nevada from having to recognize same-sex marriages performed in other states.

"We're not changing anything," Ziser said. "We're just protecting what currently is."

To get the measure on the ballot, the coalition must gather approximately 44,000 signatures from registered voters by June 20.

Ziser said the coalition plans to collect at least 65,000 signatures to ensure the petition qualifies for the ballot.

■ Compiled by KRISTINE CHATWOOD, a Portland-based writer and longtime Just Out contributor.



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