

NATIONAL news

posed changes in the Federal Register, a period for public comment and issuing of a final rule.

But, Henderson said, "If a religious entity chooses to participate in the public marketplace, using federal dollars to carry out its program, then it should be regulated by the principle that no federal money should be used for discriminatory purposes." It can discriminate with its own money, he added.

Log Cabin Republicans spokesman Kevin Ivers believes the story was poorly handled by the Post and has been overplayed. He said the White House contacted them on the evening of July 9, alerting them to an inquiry by the reporter a few hours before the article went up on the newspaper's Internet site. The contact said that the Salvation Army had an opportunity to express its views but that the administration made no commitment of support.

That made sense to Ivers. He remembered that in the heat of the primary campaign, candidate Bush passed up an opportunity to comment on California's anti-gay Proposition 22, saying it was a local matter not a national one. Ivers didn't see the administration "doing a 180" degree turn on an issue like federalism.

Ivers did go on the attack against the Salvation Army, saying, "This is an organization that discriminates against gays and is proud of it." He thinks the incident will "raise serious questions about their credibility" to deliver social services in an unbiased manner.

The Salvation Army issued a statement saying its concerns were raised in the context of being asked "to identify barriers in government-provided social service funding." It noted federal law provides an exemption for religious institutions where policy conflicts with faith.

The White House released a statement saying it will not pursue the change in the Circular #A-102 regulation suggested by the Salvation Army. It believes existing laws and the faith-based legislation passed by the House Judiciary Committee offer sufficient protections both of civil rights and of religious organizations' "right to hire individuals who share their religious faith."

U.S. Rep. Barney Frank, D-Mass., had offered a clarifying amendment requiring charities to adhere to all state and local nondiscrimination laws. It was defeated in a party-line vote.

HRC announced July 13 its opposition to the bill in its current form, saying it was "highly flawed" and "would create a situation where many Americans would be publicly subsidizing their own discrimination." Another concern is that the measure does not adequately ensure practical secular alternatives are available for people who do not want to participate in a faith-based program.

But the House thwarted HRC's efforts July 19 by voting 234-195 to make this version of Bush's faith-based initiative untenable. The move followed the July 17 defeat of an amendment by Rep. Mark Foley, R-Fla., in the Committee on Rules to address the problem and was the chamber's last opportunity to fix the bill's deficiencies.

"This was a hollow victory for the administration and the House leadership, because in ignoring pleas to fix the bill's shortcomings, they have made passage in the Senate demonstrably more difficult," said Elizabeth Birch, HRC executive director. "We are also struck by the incongruous position of 'states rights' conservatives, who have long trumpeted local control, only to run roughshod over state and local civil rights laws in order to ram through this discriminatory initiative." □

IMMEDIATE OUTCRY

Reaction to the Post article was swift and severe:



"These secret, and possibly illegal, meetings are an outrage and demonstrate a contempt for the rule of law and for the rights of the most vulnerable Americans. We need to know who was in on these meetings, what had been promised, who authorized the meetings and why the public was not notified that the right to live free from discrimination was being brokered away in a back room."

U.S. Rep. Jerrold Nadler
D-N.Y.



"This proposed arrangement would create a kind of civil rights-free zone in which religious organizations that receive federal money would be able to flout laws passed by state and local governments to protect their citizens from workplace discrimination. It is a shockingly hypocritical agreement, especially coming from an administration that claims to be committed to the protection of state and local rights."

Ralph G. Neas
People for the American Way



"The administration's theory, unsupported by any hard evidence, is that religious groups do a better job than secular organizations or government at providing social services and [that] rules against discrimination and proselytizing need to be lifted to encourage religious groups to take over the job."

Michael Adams
Lambda Legal Defense and Education Fund

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