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national

NATIONAL Pentagon Spied on U.S. Gay Groups

NBC News reported Dec. 20 that the U.S. military has spied on domestic groups, including some opposed to the war in Iraq and others protesting the military's "don't ask, don't tell" policy. New York University's OUTlaw group was labeled "potentially violent," and a kiss-in at UC Santa Cruz to protest the military's ban on openly gay personnel was deemed a "credible threat" of terrorism.

Queer Legal Group Opposes Alito Nomination

Saying that Samuel Alito Jr. puts his personal political agenda above the principles enshrined in the Constitution, Lambda Legal announced Dec. 12 its opposition to his nomination to the U.S. Supreme Court.

Kevin Cathcart, executive director of Lambda Legal, said in a statement: "As a legal organization advocating for LGBT people and people with HIV, we know how important it is that every member of the judiciary be committed to the Constitution and its core principles of liberty, equality and justice for all. In examining Samuel Alito's nomination for a lifetime appointment to the

Supreme Court, we bring to bear our more than 30 years of experience advocating in favor of these principles that are the bedrock of our legal system.

"Unfortunately, what our analysis reveals is that Judge Alito has a political agenda different from that required of members of the judiciary. It is based on his personal political ideology and stands apart from any principle that can reasonably be located in the Constitution. We do not believe that Judge Alito has the necessary commitment to liberty and equality for all Americans. Judge Alito puts particular political ends above a fair reading of the Constitution, Bill of Rights and the laws passed by Congress. Put differently, his political agenda leads him to write judicial decisions to make the law conform to his politics. He then applies legal craftsmanship and precedent to justify the law he is making.

"The job of a Supreme Court justice is unique within the judiciary. Among other things, the constraints created by legal precedent are far less binding at the Supreme Court. Putting politics ahead of the Constitution and laws of this country is dangerous at all levels of our judicial system. This practice is dangerous because it jeopardizes the system of checks and balances that the judiciary is meant to safeguard, making the concerns of groups of people lacking political power especially vulnerable.

"For these reasons, Lambda Legal is compelled to oppose Samuel Alito's nomination."



Servicemembers Legal Defense Network's C. Dixon Osburn said it is "absurd, homophobic and irrational" for the Pentagon to label a gay student kiss-in as a "credible threat."

PENNSYLVANIA Lawsuit Filed on Behalf of Former Penn State Basketball Star

A lawsuit was filed Dec. 20 in federal district court in Pennsylvania on behalf of former Penn State women's basketball star Jennifer Harris against Lady Lions basketball coach Rene Portland, among others.

The complaint alleges that, despite Harris' outstanding performance as a student athlete during her career at the university from 2003 to 2005, Portland repeatedly inquired about her sexual orientation, pressured her to change her appearance to be more "feminine," harassed and targeted her and other African-American athletes and eventually told other players not to associate with her. In 2005, Portland abruptly told Harris to find somewhere else to play.

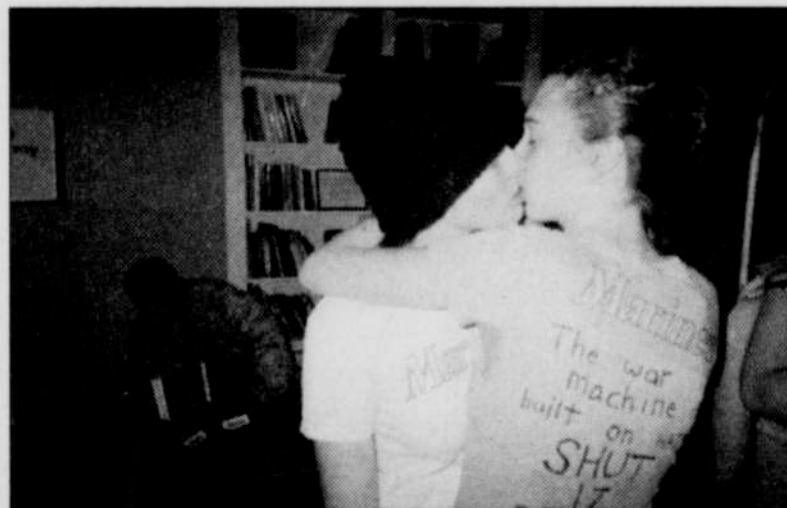
The complaint names Portland, athletic director Tim Curley and Penn State as defendants and alleges they violated numerous federal and state laws and constitutional protections prohibiting discrimination based on race, gender and sexual orientation. In addition to seeking damages, Harris asks the court to order Penn State to conduct mandatory nondiscrimination training for all athletic department employees as well as create new policies to help student athletes report discrimination without fear of retaliation.

"My departure from Penn State was very painful," said Harris. "I struggled with whether I should just walk away and try to forget what happened. I finally realized that I could never put this incident behind me."

Harris is a 6-foot guard from Harrisburg, Pa. She graduated in 2003 as the most decorated player in Central Dauphin High history and still holds the school record as all-time leading scorer. Among other honors, Harris was named



Hundreds of students march and rally Oct. 18 at UC Santa Cruz to protest the presence of military recruiters at the campus career fair.



According to a press release by the Servicemembers Legal Defense Network, this peaceful protest and others like it were under surveillance by the Pentagon.