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national

NATIONAL

Poll Shows Military Comfortable Serving with Gays

A poll from Zogby International and the Michael D. Palm Center revealed Dec. 19 that U.S. military personnel are increasingly comfortable serving with openly gay colleagues. The poll reveals that 73 percent of military members are comfortable with gays and lesbians. Nearly one in four service members report knowing for sure that someone in their unit is gay or lesbian, including 21 percent of those in combat units.

"Today's poll is one more nail in the coffin of 'don't ask, don't tell,'" said C. Dixon Osburn, executive director of Servicemembers Legal Defense Network. "Those who defend the law have argued that openly gay personnel harm military readiness. This research highlights the absurdity of such a hypothesis. Not only are there more than 65,000 lesbians and gays serving in the armed forces, but many are serving openly. Their straight colleagues are just fine with that."

The poll of 545 troops who served in Iraq and Afghanistan also found that, even among those who did not know for certain if a gay colleague was in their unit, nearly half suspected as much. Among those who did know a gay colleague, few said their presence undermined morale. In 1993, only 13 percent of enlisted personnel supported open service.

The Zogby poll is the latest in a series of polls and public statements indicating readiness for a change in policy. Among the general public, Gallup has found 79 percent support for repealing the gay ban.

Lt. Gen. Daniel W. Christman, former superintendent of West Point, told *The New York Times*: "It is clear that national attitudes toward this issue have evolved considerably in the last decade. This has been led by a new generation of service members who take a more relaxed and tolerant view toward homosexuality."

U.S. Rep. Marty Meehan, D-Mass., will reintroduce the Military Readiness Enhancement Act, which would repeal "don't ask, don't tell" and allow gays to serve openly, when Congress reconvenes in 2007. During the 109th Congress, a bipartisan coalition of 123 lawmakers supported the bill.



Former West Point superintendent Lt. Gen. Daniel W. Christman spoke out against the banning of gays in the military.

CALIFORNIA

New Legislation Boosts Rights

California's queer community rang in the new year with more legal protections and rights.

Eight new laws affecting queer Californians went into effect Jan. 1, including a law requiring companies contracting with the state to provide employees with domestic partners the same benefits given to employees with spouses. Authored by state Sen. Christine Kehoe, D-San Diego, the legislation was modeled after a 1996 equal benefits ordinance enacted in San Francisco.

In addition to the equal benefits law, domestic partners in 2007 have the right to prepare their California income tax returns together. Couples can file jointly in 2008, covering the 2007 tax year. Other new laws that went into effect on Jan. 1 reduce anti-queer bias in the courtroom, expand the state's nondiscrimination protections and ensure dignity and stability for sexual minority seniors.

NEVADA

Lawsuit Settled Against Subway Restaurants

A lawsuit was settled Dec. 20 on behalf of a man who was fired by a Subway restaurant owner because he is HIV-positive. The lawsuit was filed in U.S. District Court for the District of Nevada, Las Vegas division.

"The law is very clear that employers can't fire people simply because they have HIV," said Jen Sinton, HIV Project staff attorney at Lambda Legal. "Sound science shows if someone with HIV is able to work, there is no reason why they can't work in the food service industry. Improving science literacy around HIV transmission is crucial to the struggle to end AIDS."

Among other things included in the settlement, the company agrees that its written policies will explicitly state that it does not discriminate against any qualified people with HIV. Additionally, all managers and employees in supervisory roles will be trained on how HIV is transmitted, thereby putting to rest any concern about HIV transmission in the food service industry, and they will be instructed regarding the legal obligation not to discriminate against existing or potential employees based on HIV/AIDS. According to the Nevada State Health Division, although the state has the nation's 35th largest population, it ranks 14th for the rate of adolescents and adults living with AIDS.

Robert Hickman was hired by Donna Curry Investments as a store manager and began work at Subway restaurants owned by the company in Henderson and Las Vegas on Nov. 3, 2004. After three months on the job, he became eligible for employer-sponsored health insurance. Because the health insurance application requested information about his HIV status, Hickman asked his employer if he would be denied insurance because he has HIV. The owner of the company fired him the following day, Feb. 4, 2005, because she believed he posed a danger to customers.

"I'm gratified that my former