



**U.S. Rep. Susan Davis, D-Calif., chairwoman of the House Armed Services Subcommittee on Military Personnel, said she will hold hearings on "don't ask, don't tell."**

versial judicial nominee of President Bush. The vote prompted one California Democratic congresswoman to threaten to oppose any re-election plans Feinstein has.

"It would be unconscionable for Congress to confirm Leslie Southwick to a lifetime seat on the federal bench," said Matt Foreman, executive director of the National Gay and Lesbian Task Force. "That fact that this nomination has gotten this far is an outrage, given Southwick's highly troubling civil rights record."

With her vote, Feinstein joined Republicans on the committee with a 10-9 vote to send the nomination to the Senate floor. Congressional Republicans have asserted that all controversial matters should require 60 votes.

Other liberal groups joined in the protests against Southwick, including Nan Aron, president of Alliance for Justice, an association of civil rights and consumer advocates. A spokeswoman for NGLTF said Feinstein was usually a reliable ally.

Southwick is a former Mississippi Court of Appeals judge seeking a seat on the Fifth U.S. Circuit Court of Appeals in New Orleans. Opponents say Southwick's voting record in 11 years on the state court overwhelmingly favored businesses over workers and consumers.

In one case, a worker was reinstated after the state employee had called his co-worker a racial slur. In another case, an 8-year-old child was reportedly removed from the home of her bisexual mother because of her "homosexual lifestyle." Southwick also signed another judge's opinion that described homosexuality as a "choice that carries consequences."

In a statement read by Feinstein at the hearing, she said Southwick had received the American Bar Association's highest evaluation for his candidacy and had taken leave from his court in 2004 to serve with the Judge Advocate General's Corps in Iraq. Her vote was also criticized by members of the Congressional Black Caucus.

## FLORIDA

### Leaders Put Pressure on Commission

A coalition of 16 national queer rights organizations urged the Fort Lauderdale City Commission and the Broward County Commission to pass resolutions condemning Fort Lauderdale Mayor Jim Naugle's anti-gay comments.

The coalition's Aug. 2 letters, endorsed by the largest and most prominent national queer organizations, state that since Naugle made his defamatory comments in his official capacity, it is up to the commissions to officially and formally respond and assure the public that he does not reflect the views of either Fort Lauderdale or Broward County.

Naugle came under fire for claiming the city's proposal to buy a \$250,000 robotic toilet for the beach would reduce "homosexual activity" in public restrooms. He reportedly went on to say that he used the term "homosexual" rather than "gay" because, in his estimation, homosexuals are "unhappy." He has also been quoted as saying he agrees that "homosexuality is a criminal act." He erroneously said that Broward County had the nation's highest number of new HIV infections among gay men.

## OKLAHOMA

### Restrictive Adoption Law Struck Down

A panel of the U.S. Court of Appeals for the 10th Circuit rejected the Oklahoma Department of Health's challenge to a lower court decision striking down an Oklahoma law so extreme that it threatened to make children adopted by same-sex couples in other states legal orphans when the families are in Oklahoma. The Aug. 6 ruling is important not only in Oklahoma, but also to families across the United States, including in Seattle and Houston, home to two of the families who joined in the suit.

"Today's decision supports the lower court's finding that same-sex couples who choose to adopt are entitled under the U.S. Constitution to have their relationships with their children respected in every state," said Lambda Legal's Ken Upton, lead attorney on the case. "The Adoption Invalidation Law was reckless legislation that jeopardized the safety and well-being of children and undermined parents' rights."

The Oklahoma commissioner of health sought review of a part of the judgment that required the Department of Health to issue an amended birth certificate to the adopted child of a same-sex couple that accurately reflected both women as the child's legal parents. The court rejected the challenge and affirmed the judgment requiring issuance of a proper birth certificate. The 10th Circuit panel also agreed with Lambda Legal that the law violated the Full Faith and Credit Clause of the U.S. Constitution.

Neither the governor nor the attorney general of Oklahoma challenged the trial court's decision that struck down the anti-gay Adoption Invalidation Law. The appellate court's decision also requires the Oklahoma Department of Health to issue a birth certificate to the daughter of a same-sex couple in Oklahoma accurately listing the names of both parents. **10**

Compiled by JAYMEE R. CUTI

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