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Last Updated: 03/17/2023

REAGAN/BUSH COMMITTEE

Homosexuals

To: Doug Bandow (FYI) Policy and Research Development Division

From: Fleming Saunders, Correspondence Department

GAY VOTE 1980

THE NATIONAL CONVENTION PROJECT

Honorable Ronald W. Reagan
Detroit Plaza Hotel
Detroit, Michigan

July 17, 1980

Dear Governor Reagan:

As delegates to the 1980 Republican National Convention, we congratulate you on your nomination to be the Republican candidate for President. We have both long been active in the Republican party and intend to remain so. We are also gay.

As gay Americans we are concerned with issues affecting more than 8 million gay voters. Particularly important among these issues are the Equal Rights Amendment and S.1808, the Family Protection Act.

On behalf of the many lesbians in our community, we strongly urge you to reconsider support of the ERA and express our disappointment at the failure of our platform to call for its ratification.

On behalf of all gay Americans, we wish to call your attention to the "Family Protection" plank of the platform. This plank supports "legislation protecting and defending the traditional American family." The sponsor of this plank explained that it was an endorsement of S.1808, the "Family Protection Act," sponsored by Senator Laxalt. This bill wanders far afield from the constructive program for strengthening the American family set forth in our 1976 platform.

One section of S. 1808 would amend the Civil Rights Act to state that no action taken by an employer or labor organization "with respect to an individual who is a homosexual" shall ever be deemed to be an unlawful employment practice.

Such provisions clearly contradict your 1980 policy statement on homosexual rights. They also contradict the spirit of your courageous opposition in 1978 to California Proposition 6, the "Brigg Initiative"), which called for the firing of school teachers who engage in homosexual activity.

We urge you to publicly disassociate yourself from this section of the platform.

Gay Republicans, and gay voters in general, will reject a platform that states we are not entitled to employment, and that fails to actively support equal rights for all Americans.

Sincerely,

Timothy E. Drake
TIMOTHY E. DRAKE, Illinois

Charles H. Thompson
CHARLES H. THOMPSON, New York

Board Officers

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Gay Task Force

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GAY VOTE 1980

THE NATIONAL CONVENTION PROJECT

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THE 1980 REPUBLICAN PLATFORM: Implications for the Civil Rights of Gay Americans

In 1980, gay Americans find that the most visible source of discrimination against them is their own government. Many government agencies still fire employees, and the armed forces routinely discharge men and women, solely because they are homosexual. Immigration officers still deny visas to foreign visitors, solely because they are homosexual.

The 1980 Republican Platform contains a number of warning signs that Governor Reagan's constituency will resist any attempt to deal with such discrimination.

The draft equal rights plank submitted to the Platform Committee originally stated simply that "no individual should be victimized by unfair discrimination." However, the Committee amended the plank on the motion of Guy Farley, Jr., of Virginia, by adding the words "because of race, sex, advanced age, physical handicap, difference of national origin or religion, or economic circumstance." Mr. Farley told the Committee that he was offering his amendment in order to make clear that equal rights "doesn't include homosexual rights."

The Committee also added a family protection plank which supports "legislation protecting and defending the traditional American family against the ongoing erosion of its base in our society." In offering this plank, Donald White of Alaska explained that his purpose was to support Senator Laxalt's bill, S. 1808, the "Family Protection Act." There was only one vote against the adoption of this plank, cast by John Leopold of Hawaii (who also led the fight for planks favoring the ERA and freedom of choice on abortion). Among other things, S. 1808 would: deny gay people the assistance available to other Americans under the Legal Services Corporation Act; deny the Federal funding available to other service organizations to those within the gay community; and amend the Civil Rights Act to state that no action taken by an employer or labor organization "with respect to an individual who is homosexual" shall ever be deemed to be an unlawful employment practice.

A third potential problem area is indicated by the Platform's plank on immigration and refugee policy. This plank makes no explicit reference to gay people, but states that: "to the fullest extent possible those immigrants should be admitted . . . who are willing to accept the fundamental American values and way of life." This may bode ill for attempts to eliminate the exclusion from America of foreigners such as Cuban refugees from anti-gay persecution.

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G A Y R I G H T S I S S U E S

A T T H E

F E D E R A L L E V E L

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THE NATIONAL CONVENTION PROJECT

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GAY RIGHTS NATIONAL LOBBY

LESBIAN CAUCUS, NATIONAL WOMEN'S POLITICAL CAUCUS

NATIONAL COALITION OF BLACK GAYS

NATIONAL GAY TASK FORCE

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ISSUES: FEDERAL EMPLOYMENT

The federal government is America's largest employer. It is a powerful example to other employers. In many situations, the federal government still makes decisions to hire or discharge employees solely on the basis of their sexual orientation. This is a bad policy. It is an unwarranted intrusion by the government into the private lives of its citizens. It is also inefficient, because it deprives the government of the services of competent, dedicated employees.

For many years, the U.S. Civil Service Commission persisted in discharging federal employees if it learned that they were gay. Ten years ago, the Commission lost the case of Norton v. Macy, 417 F.2d 1161 (D.C. Cir., 1969). There, a divided Court of Appeals held that the Civil Service Commission's statute did not permit it to dismiss homosexual employees except "for such cause as will promote the efficiency of the service." The Court also stated that "the notion that it could be an appropriate function of the federal bureaucracy to enforce the majority's conventional moral code of conduct in the private lives of its employees is at war with elementary concepts of liberty, privacy, and diversity." This case was followed in two others, Society for Individual Rights v. Hampton, 63 F.R.D. 399 (U.S. D.C., N.D. Calif. 1973), and Baker v. Hampton, 6 EPD Par. 9043 (U.S.D.C., D.C. 1973), which ordered the Civil Service Commission to reinstate fired homosexual employees.

The Civil Service Commission capitulated on July 3, 1975, by amending 5 C.F.R. Sec. 731.202, defining criteria for hiring and firing: "immoral conduct" was eliminated as a basis for action; and the new regulation required a specific determination, in order to hire or fire, that any conduct interfere with the effective performance of duties. The Commission noted in its implementing Federal Personnel Manual: "Court decisions require that persons not be disqualified from Federal employment solely on the basis of homosexual conduct."

Despite this reversal by the Civil Service Commission, the federal government persists in discharging employees solely because they are gay.

In the first place, many civil service employees (and many employees in private industry working under government contracts) must have security clearances in order to perform their work. The security clearance program was established by an executive order that states "sexual perversion" as a basis for denying a security clearance. In July, 1979, the Deputy Under Secretary of Defense specifically defended this basis for denying security clearances. In a recent case, the Defense Mapping Agency discharged a young cartographer, Richard Melchiono, because he had been denied a security clearance on the basis of his "admitted homosexuality." Since clearances are denied to "out" gay people it is difficult to justify such actions on the basis of susceptibility to blackmail. The security clearance program really operates indirectly as the kind of bureaucratic "respectability" program or "social and sexual conformity" program of which the direct application was condemned in Norton v. Macy.

Secondly, many federal jobs are not in the civil service system. The State Department and the FBI are examples of this. In two pending cases, the FBI fired two filing clerks with unblemished work records, Donald Ashton and John Calzada, because the Bureau learned that they were gay. In Ashton v. Civiletti (D.C. Cir. October 4, 1979), the court noted that "the Bureau seems preoccupied with what might well be thought the private lives of its employees."

The largest category of federal employees outside the civil service system is the military. All three services continue to discharge competent, dedicated men and women solely because they are gay. The most notable current cases are Ensign Vernon Berg in the Navy and Sergeant Leonard Matlovich in the Air Force. The administrative board which discharged Sergeant Matlovich because of his acknowledged homosexuality noted his "outstanding" 12-year military career during which he had been awarded the Bronze Star and the Purple Heart. The same regulations that produced the discharge of Sergeant Matlovich permit the military to retain on active duty a heterosexual soldier with two felony convictions.

Frequently, the federal government faces difficult problems of proof when it tries to stop private employers from discriminating--private employers can, and often do, argue that their written employment criteria are solely job-related. There are no problems of proof in showing that the federal government discriminates against lesbians and gay men--such discrimination is still explicit government policy in many fields. This policy can and should be changed immediately by the issuance of an executive order.

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ISSUES: IMMIGRATION AND NATURALIZATION

The Immigration and Nationality Act (8 U.S.C. Sec 1182(a)(4)) makes ineligible for visas, and excludes from admission to the United States, "aliens afflicted with psychopathic personality, or sexual deviation, or a mental defect." The Department of Justice has just ruled that the Immigration and Naturalization Service must continue to exclude men and women who are homosexual from visiting the United States under the terms of this law.

The Immigration and Nationality Act is the culmination of a century of restrictive immigration legislation. In 1880, Congress acted to exclude Chinese laborers. By 1917, Congress had broadened this exclusion to cover most "Asiatics" (with a careful exception for Iranians). While Congress was broadening racial exclusions it was also defining ever-greater numbers of "qualitative" exclusions--for instance, idiots and polygamists, then persons afflicted with tuberculosis, then anarchists, then illiterates, alcoholics, and "persons of constitutional psychopathic inferiority."

In 1952, the McCarran-Walter Act, 66 Stat. 163, added an exclusion for "aliens afflicted with psychopathic personality, epilepsy, or a mental defect." The Public Health Service reported to Congress when it was considering the McCarran-Walter Act, that those persons afflicted with psychopathic personality "frequently include those groups of individuals suffering from addiction or sexual deviation... Ordinarily, persons suffering from disturbances in sexuality are included within the classification of 'psychopathic personality with pathologic sexuality'. This classification will specify such types of pathologic behavior as homosexuality or sexual perversion which includes sexual sadism, fetishism, transvestism, pedophilia, etc."

In 1962, the U.S. Court of Appeals for the Ninth Circuit invalidated a deportation order on the grounds that the term "psychopathic personality" was unconstitutionally vague as applied to a homosexual alien, Fleuti v. Rosenberg, 302 F.2d 652. Congress retorted in 1965 by amending the McCarran-Walter Act to add an exclusion for "sexual deviation" so as

"to resolve any doubt," 79 Stat. 919. This amendment proved to be unnecessary, since the Supreme Court ultimately upheld the "psychopathic personality" clause as a basis for the deportation of a homosexual alien, Boutilier v. Immigration and Naturalization Service, 387 U.S. 118 (1967).

The Boutilier case exposed the implications of excluding gay people from admission to the United States. In dissenting at the Court of Appeals level, Judge Moore noted, "The majority upholds the deportation of a young man who arrived in this country in 1955, who has worked hard and gainfully ever since, who is respected in his work, and most of whose close relations--including his mother, his stepfather, and three of his five brothers and sisters--reside in this country," 363 F.2d at 496. Justice Douglas, dissenting from the Supreme Court decision, in Boutilier, quoted Sigmund Freud: "'Homosexuality is assuredly no advantage, but it is nothing to be ashamed of, no vice, no degradation, it cannot be classified as an illness; we consider it to be a variation of the sexual function produced by a certain arrest of sexual development. Many highly respectable individuals of ancient and modern times have been homosexuals, several of the greatest men among them (Plato, Michelangelo, Leonardo da Vinci, etc.)'." Justice Douglas added: "It is common knowledge that in this century homosexuals have risen high in our public service--both in Congress and in the Executive Branch--and have served with distinction. It is therefore not credible that Congress wanted to deport everyone and anyone who was a sexual deviate, no matter how blameless his social conduct had been nor how creative his work nor how valuable his contribution to society." 387 U.S. at 129-130.

After the Boutilier case (and after the 1965 revision of the Immigration and Nationality Act), the American Psychiatric Association ceased to classify homosexuality as a mental disease. Accordingly, the U.S. Public Health Service now refuses to determine if aliens referred to it by the Immigration and Naturalization Service are "sexual deviates", on the ground that no such medical condition is recognized to exist. Despite all this, the Justice Department has determined the law requires that INS continue to exclude homosexuals from admission to the United States.

Two means are available to reverse current policy. The first is to have the Justice Department reconsider and reverse its administrative determination. The 1965 addition of "sexual deviates" to the McCarran-Walter Act was intended to return the law to the status quo ante the Fleuti case--in other words, to restore the original intent of the Act. And

the legislative history of the McCarran-Walter Act indicates that "sexual deviates" would "frequently" or "ordinarily"--be excluded as psychopathic personalities--but not always. The legislative history also indicates that the term "sexual deviates" was broader than--not synonymous with--"homosexuals". Thus, the legislative history of the McCarran-Walter Act as amended leaves some room for an administrative determination that homosexuality per se is not a sufficient basis for denying entry into the country. Congress intended to exclude "sexual deviates" whose pathological sexuality makes them psychopathic. Since the medical profession has recently determined that homosexuality per se is not pathological, the "sexual deviates" clause of the Act should not be used to exclude persons who are merely homosexual--rather, it should only be used to exclude those rare people whose sexuality is demonstrably pathological.

The second means available for reversing current policy is to have Congress amend the Act. This would be a more definitive result than a new administrative determination, but it would be more difficult to achieve, given the distaste of Congress for confronting controversial issues.

Nevertheless, two such bills to amend the Immigration and Nationality Act are now pending in the Congress--S. 2210, sponsored by Senator Cranston, and H.R. 6303, an identical bill in the House. (See Attachment A.)

96TH CONGRESS
2D SESSION

H. R. 6303

To repeal section 212(a)(4) of the Immigration and Nationality Act, as amended,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1980

Mr. BEILENSON (for himself, Mr. DIXON, and Mr. WAXMAN) introduced the
following bill; which was referred to the Committee on the Judiciary

A BILL

To repeal section 212(a)(4) of the Immigration and Nationality
Act, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That paragraph (4) of section 212(a) of the Immigration and
4 Nationality Act is hereby repealed.

5 SEC. 2. Section 212(a) of the Immigration and National-
6 ity Act is further amended by adding the following after para-
7 graph (3):

8 “(4) aliens afflicted with psychopathic personality
9 or a mental defect;”.

○

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ISSUES: NON-GOVERNMENTAL DISCRIMINATION

Two similar bills, now pending in the Congress, deal with non-governmental discrimination against gay people. Since a need has been demonstrated, Congress should pass such legislation.

H.R. 2074, in the House of Representatives, would amend existing civil rights legislation to add discrimination based on sexual orientation to those categories of discrimination prohibited in employment, housing, and public facilities. (See Attachment A). This bill currently has 54 Democratic and Republican co-sponsors. (See Attachment B).

S. 2081, in the Senate, would prohibit discrimination based on sexual orientation in employment. (See Attachment C). The bill is currently co-sponsored by Senators Tsongas (D-Mass.), Weicker (R-Conn.), and Moynihan (D-N.Y.).

The most thorough existing survey of non-governmental discrimination on the basis of sexual orientation was conducted by the Oregon state government's Task Force on Sexual Preference. The Task Force began its work after the 1975 session of the Oregon legislature; it distributed questionnaires to thousands of homosexual and heterosexual members of the public, conducted public hearings and individual interviews. The remainder of this paper presents the principal conclusions of the Task Force, adopted in its final report of December 1, 1978.

The Task Force recommended legislation prohibiting discrimination on the basis of sexual orientation in employment. The Task Force wrote: "employees' rights of privacy need respect and protection. Employers have no legitimate interest in the personal or sexual lives of their employees except where there is misconduct which affects job performance (Final Report, p.61)."

The Task Force "accumulated considerable evidence of employment discrimination...(M)en and women may be denied employment once their sexual orientation becomes known...Their sexual orientation may become known after a co-worker sees them exchange a hug after work with a friend, or because of their honesty in acknowledging their sexual orientation in an encounter

group sponsored by their employer, or because they confided in a co-worker who chooses to betray their confidence (pp.47-48)."

"Most homosexual men and women report that although they have not actually yet been discriminated against in employment, they experience considerable insecurity because they know that they could be discriminated against...One way to appreciate the pressure which this creates is to imagine what it would be like if you were married but felt that you had to keep it a secret from the people at work. There is very little you could talk about concerning your life away from work which you would not have to distort in order to conceal the existence of your spouse and the importance of that person in your life (pp.49-50)."

"Heterosexual employees, as well as homosexual employees, may be terminated or never promoted because they 'look gay' or 'act gay'--at least to someone (pp.53-54)."

Having found that there was a need for legislation prohibiting discrimination in employment, the Task Force considered the possible negative effects of such legislation.

First, the Task Force found, on the basis of its surveys, that "In contrast to other minority groups (and) contrary to the stereotypes, homosexual men and women are not concentrated in a few occupations. We are not faced with the question 'What would happen if homosexuals were allowed in certain occupations?' The prediction that there will be negative consequences if homosexual people are permitted in certain occupations ignores the fact that homosexual men and women are already working in every area and the negative consequences predicted by some have not occurred (p.45)."

Further, the surveys of the Task Force showed that "contact with co-workers who acknowledge their homosexual orientation produces an increase in positive attitude and a decrease in feelings of discomfort about homosexuals, a reaction contrary to the prediction that knowing one's colleague or boss is homosexual would have disturbing effects (pp.56-57)."

The Task Force refuted two other common misconceptions.
(1) "The proposed legislation prohibits discrimination on the basis of sexual orientation, not sexual misconduct. An employer can always act against a member of a protected group for 'cause' which is work related. Any person, heterosexual or homosexual, who had a history of sexual misconduct involving children could be denied employment working with children (pp.61-62)."

(2) "(A)ffirmative action or quotas are not being proposed for homosexuals because there are differences between employment discrimination on the basis of sex and race. Because women and minorities are readily identifiable by their appearance, they have been systematically excluded from particular job categories. In contrast, because homosexuals are not readily identifiable by their appearance, they have been erratically excluded from all kinds of employment, but continue to be represented in all job categories (p.60)."

96TH CONGRESS
1ST SESSION

H. R. 2074

To prohibit discrimination on the basis of affectional or sexual orientation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1979

Mr. WEISS introduced the following bill; which was referred jointly to the Committees on the Judiciary and Education and Labor

A BILL

To prohibit discrimination on the basis of affectional or sexual orientation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That this Act may be cited as the "Civil Rights Amendments Act of 1979".

PUBLIC FACILITIES

SEC. 2. Section 301(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000b(a)) is amended by inserting after "religion," the following: "affectional or sexual orientation,".

FEDERALLY ASSISTED OPPORTUNITIES

SEC. 3. Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) is amended by inserting after "color," the following: "affectional or sexual orientation,".

EQUAL EMPLOYMENT OPPORTUNITIES

SEC. 6. (a) Sections 703(a), 703(b), 703(c), 703(d), 703(e), 703(j), 704(b), 706(g), and 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2, 2000e-3, 2000e-5, 2000e-16) are amended by inserting after "sex," each place it appears the following: "affectional or sexual orientation,".

(b) Section 717(c) of such Act (42 U.S.C. 2000e-16) is amended by inserting ", affectional or sexual orientation," after "sex".

(c)(1) Section 703(h) of such Act (42 U.S.C. 2000e-2) is amended by inserting after "sex," the first place it appears the following: "affectional or sexual orientation,".

(2) Such section 703(h) is further amended by inserting ", affectional or sexual orientation," after "sex" the second place it appears.

INTERVENTION AND PROCEDURE

SEC. 7. Section 902 of the Civil Rights Act of 1964 (42 U.S.C. 2000h-2) is amended by inserting after "sex" the following: ", affectional or sexual orientation,".

Gay Rights National Lobby

1606 17th Street, N.W.

Washington, D.C. 20009

(202) 462-4255

The following are co-sponsors of H.R. 2074, the federal gay civil rights legislation, which was introduced in the 96th Congress by Congresspeople Ted Weiss (D-N.Y.) and Henry Waxman (D-Calif.)

Ted Weiss (D-New York)
 Henry Waxman (D-California)
 Tony Beilenson (D-California)
 Mike Lowry (D-Washington)
 John Burton (D-California)
 Mickey Leland (D-Texas)
 Phil Burton (D-California)
 Jonathan Bingham (D-New York)
 Ron Dellums (D-California)
 Bill Gray (D-Pennsylvania)
 Julian Dixon (D-California)
 Bob Edgar (D-Pennsylvania)
 Don Edwards (D-California)
 Jim Weaver (D-Oregon)
 Augustus Hawkins (D-California)
 Les Aucoin (D-Oregon)
 Shirley Chisholm (D-New York)
 Louis Stokes (D-Ohio)
 S. William Green (R-New York)
 William Clay (D-Missouri)
 Ben Rosenthal (D-New York)
 Pat Schroeder (D-Colorado)
 Paul McCloskey (R-California)
 Charles Rangel (D-New York)
 Leon Panetta (D-Calif)
 Ed Roybal (D-Calif)
 Bob Carr (D-Mich)

Martin Sabo (D-Minnesota)
 George Miller (D-California)
 Richard Ottinger (D-New York)
 Bill Brodhead (D-Michigan)
 Mike Barnes (D-Maryland)
 Toby Moffet (D-Connecticut)
 Elizabeth Holtzman (D-New York)
 Norman Mineta (D-California)
 Charles Diggs (D-Michigan)
 Parren Mitchell (D-Maryland)
 Walter Fauntroy (D-Washington D.C.)
 Ed Markey (D-Massachusetts)
 John Conyers (D-Michigan)
 Fred Richmond (D-New York)
 Jim Shannon (D-Massachusetts)
 William Lehman (D-Florida)
 Sidney Yates (D-Illinois)
 Gerry Studds (D-Massachusetts)
 Pete Stark (D-California)
 James Scheuer (D-New York)
 Stewart McKinney (R-Connecticut)
 Robert Garcia (D-N.Y.)
 Robert Matsui (D-Calif.)
 James Howard (D-N.J.)
 James Corman (D-Calif.)
 Rick Nolan (D-Minn.)
 Bob Duncan (D-Ore.)
 John Anderson (R-Illinois)

96TH CONGRESS
1ST SESSION

S. 2081

To prohibit employment discrimination on the basis of sexual orientation.

IN THE SENATE OF THE UNITED STATES

DECEMBER 5 (legislative day, NOVEMBER 29), 1979

Mr. TSONGAS (for himself, Mr. WEICKER, and Mr. MOYNIHAN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To prohibit employment discrimination on the basis of sexual orientation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **EQUAL EMPLOYMENT OPPORTUNITIES**

4 **SECTION 1.** (a) Sections 703(a), 703(b), 703(c), 703(d),
5 703(e), 703(j), 704(b), 706(g), and 717(a) of the Civil Rights
6 Act of 1964 (42 U.S.C. 2000e-2, 2000e-3, 2000e-5,
7 2000e-15) are amended by inserting after "sex," each place
8 it appears the following "sexual orientation".

1 (b) Section 717(c) of such Act (42 U.S.C. 2000e-16) is
2 amended by inserting "sexual orientation," after "sex,".

3 (c)(1) Section 703(h) of such Act (42 U.S.C. 2000e-2) is
4 amended by inserting after "sex," the first place it appears
5 the following: "sexual orientation,"

6 (2) Such section 703(h) is further amended by inserting
7 "sexual orientation," after "sex," the second place it
8 appears.

9 **DEFINITION**

10 **SEC. 2.** As used in amendments made by this Act, the
11 term "sexual orientation" means male or female homosexual-
12 ity, heterosexuality, and bisexuality by orientation or
13 practice.

14 **TO PREVENT MISINTERPRETATION**

15 **SEC. 3.** No amendment made by this Act shall be con-
16 strued to permit or require—

17 (1) the determination that discrimination exists to
18 be based on any statistical differences in the incidence
19 of persons of a particular sexual orientation in the gen-
20 eral population as opposed to in the activity wherein
21 such discrimination is alleged; or

22 (2) the fashioning of any remedy requiring any
23 sort of quota for the activity wherein such discrimina-
24 tion is alleged for persons of any particular sexual
25 orientation.

1 HOUSING SALE, RENTAL, FINANCING AND BROKERAGE
2 SERVICES

3 SEC. 8. (a) Section 804 of the Act entitled "An Act to
4 prescribe penalties for certain acts of violence or intimidation
5 and for other purposes," (42 U.S.C. 3604), is amended by
6 inserting after "religion," each place it appears the following:
7 "affectional or sexual orientation,".

8 (b) Section 805 of such Act (42 U.S.C. 3605) is amend-
9 ed by inserting after "religion," the following: "affectional or
10 sexual orientation,".

11 (c) Section 806 of such Act (42 U.S.C. 3606) is amend-
12 ed by inserting after "religion," the following: "affectional or
13 sexual orientation,".

14 PREVENTION OF INTIMIDATION

15 SEC. 9. Section 901 of the Act entitled "An act to pre-
16 scribe penalties for certain acts of violence or intimidation,
17 and for other purposes," (42 U.S.C. 3631), is amended by
18 inserting after "religion," each place it appears the following:
19 "affectional or sexual orientation,".

20 DEFINITION

21 SEC. 11. As used in the amendments made by this Act,
22 the term "affectional or sexual orientation" means male or
23 female homosexuality, heterosexuality, and bisexuality by
24 orientation or practice.

1 TO PREVENT MISINTERPRETATION

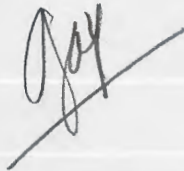
2 SEC. 12. No amendment made by this Act shall be con-
3 strued to permit or require—

4 (1) the determination that discrimination exists to
5 be based on any statistical differences in the incidence
6 of persons of a particular affectional or sexual orienta-
7 tion in the general population as opposed to in the ac-
8 tivity wherein such discrimination is alleged; or

9 (2) the fashioning of any remedy requiring any
10 sort of quota for the activity wherein such discrimina-
11 tion is alleged for persons of any particular affectional
12 or sexual orientation.

○

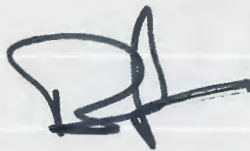
BOB
WOLFE, JR.

A handwritten signature in black ink, appearing to be "JW", with a long horizontal stroke extending to the right.

Doug:

THIS WAS SENT TO ME
BY ONE of my "LIB"
FRIENDS!

THOUGHT you might want
TO FILE

A handwritten signature in black ink, appearing to be "JW", with a long horizontal stroke extending to the right.

Opening Space

Gay people have made extensive political gains in the last four years, most notably in the passage of consensual sex laws at the state level. Whether or not we continue to make progress on the political front depends on you; if all of you sit out the 1980 campaign, those who have mobilized against gays could cause Congress to pass antigay legislation, could prompt the next president to rescind the minimal federal gains we've made, and could encourage state legislatures to pass civil and criminal sanctions against our freedom.

In 1980, it is not enough for gay people to vote—we must also be present in every major candidate's entourage. Furthermore, we must become delegates to the state and national conventions of the Democratic and Republican parties. Important information on how gay people can do just that is on page 15.

Some gay leaders are asking us to line up monolithically behind one or another of the Democratic presidential candidates. From my perspective, doing that would be a huge mistake. (My perspective comes from nine years as an activist Democrat in California, and 12 years as an activist Republican in New York.) I think what we need to do now is to become involved with every credible presidential candidate at every level of his campaign. Our best chance for success after the next election is to be known to whoever wins, Democrat or Republican.

The Republicans especially need to be convinced that our support for them is real, substantial and more vital than that of the ideologues opposed to us. What every experienced politician knows is that fanatics and bigots may be an asset in primaries, but they are a distinct liability in general elections.

Only two Republican presidential contenders have any record of gay "accomplishments." (The others have never actually *done* anything on behalf of gay people as far as The ADVOCATE knows.) Ronald Reagan came out against California's Proposition 6 in 1978. Since many people believe his was the most influential statement in the campaign, it is entirely appropriate that we now reward him by becoming actively involved in his campaign. Our support should motivate Reagan to move forward from his position on Proposition 6, and will also assist him in resisting our enemies, many of whom support him on other issues. Those of you who favor Reagan should enroll yourselves onto his campaign apparatus as soon as possible.

The other Republican who has supported us is Rep. John Anderson of Illinois. In 1978, Anderson almost lost his congressional seat to a New Right fanatic who was highly critical of the congressman's vote against a bill to deny gays Federal money for our charities. He could wind up an attractive vice presidential candidate to balance a Reagan ticket.

Those of you who favor John Connally, George Bush or Howard Baker need to get out and support them too. Their voices will carry great weight during the 1980 campaign, no matter who the Republican nominee is.

I've devoted considerable space to the Republican side of the 1980 presidential election because the Republicans look more credible every day. Although I personally prefer the Democratic candidates, I fear that 1980 could be a big year for Republicans, and I don't want gay people left out in the cold. Your support for Republicans could assist our political progress even if there is a Democratic president, since we need Republican and conservative support to make political gains.

President Carter also deserves gay support. At some political risk—and probably despite his Baptist convictions—he has taken some important steps on behalf of gay people. His administration reversed the Nixon-imposed illegal ban on 501 (c) (3) charitable tax-exemptions for gay service organizations. This allows us to contribute tax-deductible donations to such organizations. Also, the first White House conference with gay spokespeople, organized by the National Gay Task Force in 1977, began a dialogue with the Federal bureaucracy. Finally, White House support has played an important part in our gains in civil service hiring, prisons, immigration and even in the Department of Defense.

The Democratic candidate who has done the most for gay people is California Gov. Jerry Brown. He signed the consensual sex bill the day it reached his desk. He fought Proposition 6. He promulgated an antidiscrimination order for California's state government. He has appointed upfront gay people to office, including asking me to be the first gay activist to serve on a state board that was not civil-rights related—the California Economic and Business Development Advisory Council. He has appointed an upfront gay man to the Superior Court bench, and has instituted the machinery to appoint more gay judges. From the beginning of his administration, closeted gay people have held important posts. The governor knew about their sexual preference and their desire for privacy. My personal experience of him is that he knows what we want and will move to support our cause. I am personally supporting his candidacy.

Senator Ted Kennedy has no real record on the gay issue. His campaign workers claim that he publicly opposed Proposition 6, but so far they've not produced the letter in which he allegedly did so. I once asked him about sponsoring a gay rights bill in the Senate. He replied that he would not. When I asked if he would support one, he told me to remember that he's a Roman Catholic. His gay supporters inform me that he now has more positive views. Perhaps, but I know that many of Kennedy's prime California backers were very hostile to us during the No on 6 campaign. Accordingly, I am suspicious of Kennedy's candidacy being beneficial to gays. Nevertheless, I urge all who favor him to work hard for his nomination, because their leverage from within is indispensable.

For gay people, the national political scene has not changed dramatically since 1976. Only your active participation can make 1980 a year for gay political progress. Sitting this one out will not get us very far.

Enjoy The ADVOCATE!

DRH 01

400 S. Howard

#321

8:00ish



National Gay Task Force

80 Fifth Avenue • New York, New York 10011 • (212) 741-5800

Board Officers

Richard Cash
Meryl C. Friedman
Scott Norman
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Co-Executive Directors

Charles F. Brydon
Lucia Valeska

November 12, 1979

Governor Ronald Reagan
Reagan for President
9841 Airport Blvd., Suite 1430
Los Angeles, CA 90045

Dear Governor Reagan:

The National Gay Task Force is surveying current and prospective Presidential candidates for their positions on certain key issues which concern lesbian and gay voters. Such surveys have become a standard fixture in most municipal and congressional elections and have been credited by elected officials as a significant force in motivating campaign contributions, volunteers and votes.

The National Gay Task Force serves as a clearinghouse for the 3,000 local lesbian and gay organizations nationwide, and as a voice for lesbian and gay concerns on the national level. The survey results will be made available to more than 50 national and local lesbian and gay publications, reaching about two million readers, and will serve as the primary index of candidate awareness and responsiveness. It will not serve as the basis for an endorsement.

Such voter education projects have an enormous importance to lesbian and gay voters. The independent Los Angeles research firm of Strum and Walker profiles lesbians and gay men as among the most politically active segments of the population, with 80% voting in the last election and 60% contributing to candidates. In cities from Washington, DC, Philadelphia and Boston to Los Angeles, Seattle and San Francisco, and including mid-American cities such as Houston, Chicago and Minneapolis, leaders of both political parties have made an outreach to lesbian and gay voters and credited election success to those contacts.

The greatest effort to address and correct the discrimination and political inequities lesbians and gay men face has taken place at the local and state level. The result of those accomplishments, including passage of gay rights protections in over 40 cities and repeal of discriminatory sodomy statutes in nearly half the states, has been an increased awareness of problems which must be addressed at the federal level, and in particular by the President.

Your answers to the following questions will inform lesbian and gay voters of your position on issues of current concern:

It's Time

1. Will you continue the precedent established by President Carter of an "open door" to White House and administration officials for lesbian and gay representatives?

2. Will you make a commitment to nominate people who are sensitive to lesbian and gay concerns and to appoint open lesbians and gay men who are qualified to administration positions, regulatory bodies, judicial seats, and Presidential advisory groups? Will you solicit suggestions and comments on prospective nominees?

3. Will you support a plank in your party's platform for lesbian and gay rights, using the model designated:

We affirm the right of all lesbian and gay Americans to full participation in the social, political and economic life of the country without fear of prejudice or reprisals based on sexual orientation. To support this commitment and give life to this principle, we call for an Executive Order prohibiting discrimination on the basis of sexual orientation in all government employment and government programs and further we support the enactment of legislation to protect the civil rights of gay people and the repeal of all laws which are used to stigmatize persons on the basis of sexual orientation.

4. Will you sign an executive order similar to that called for in the proposed party plank, ending discrimination in federal employment and services?

5. Will you commit your administration to the passage of the federal gay rights bill (H.R. 2074), which now has 50 co-sponsors in the House?

Because lesbian and gay organizations are gearing up now for an active role in primaries and early caucuses, we are asking that you provide a response to these questions, along with any statement you would like included, by December 15. We would be pleased to meet with you or your representatives if you have any questions.

Very truly yours,

C. F. Brydon Lucia Valeska
Co-Executive Directors

CFB/LLV:jfb

Doug Bandow

The Gay Issue: Double-Edged Rights

The current debate over gay rights has obscured the real issue—the difference between two principles. One is discrimination by the state against homosexuals; the other is discrimination by private individuals against homosexuals—and state action to prevent such discrimination by individuals.

A clear example of the first kind of discrimination is the recently defeated Proposition 6 in California. The measure would have let local school boards dismiss (or refuse to hire) any employee

Mr. Bandow is a law student at Stanford University.

who had engaged in homosexual activity likely to come to the attention of children. It might even have applied to people who were not homosexual themselves but who "advocated" homosexuality.

By making open homosexuality itself a basis for dismissal, the law would have institutionalized discrimination by the state against individuals because of a characteristic unrelated to their performance as teachers. Such a law would not have accounted for the individual characteristics of the particular teacher involved since, in any specific case, the homosexuality might not affect the students or the effectiveness of the teacher. Moreover, even if it did have such an effect, it might be more than balanced by an exemplary record of competence, compassion and experience.

This is akin to discrimination on grounds of any other personal decision, political, sexual or social. But unless the decision gets in the way of personal performance, individuals should not be penalized by the government for them. Moral and religious qualms about homosexuality may be legitimate, but they do not give rise to a moral right to withhold government jobs, benefits or services because of them.

The worst form of such governmental discrimination has been criminal sanctions against homosexual acts between consenting adults. These laws are wrong for the same reasons Proposition 6 was wrong: They discriminate on the basis of an irrelevant personal decision. But criminal sanctions go further, punishing people directly for their personal choices, in an area where the government has no business being. Being fired from one's job is a severe, yet indirect, form of punishment, but it does not compare with the stigma, loss of liberty and disruption of one's life that result from criminal prosecution and imprisonment.

However, after having fought the coercive power of the state for years, homosexual-rights activists are now trying to marshal that same coercive power on their own behalf. At all levels of government they have been seeking legislative intervention to stop discrimination by private individuals against homosexuals.

The string of recently repealed homosexual-rights ordinances are examples of their activities. The ordinances generally ban discrimination by private individuals against homosexuals in employment, housing and accommodations; almost 40 cities across the nation have adopted similar measures.

The problem with these laws is that they violate the rights of homosexual-phobic people. For just as government action should not be used to discriminate against homosexuals, it should not be used to bludgeon people into accepting homosexuality in their private affairs. Private individuals should be free

"Just as government action should not be used to discriminate against homosexuals, it should not be used to bludgeon people into accepting homosexuality in their private affairs."

to associate with, rent to and do business with other individuals who make whatever voluntary decisions (whether sexual, social or political) they prefer. Though such discrimination may be silly, dumb and even immoral in someone else's eyes, that "someone else" has no right to interfere in these personal choices of individuals. Freedom includes the freedom to be wrong.

Homosexuals have the right to decide what sort of life they will lead. Once they've made that decision, they should not suffer discrimination by the state because of it. However, they must accept the consequences of their choice; they have no right to use the state to suppress the prejudices of people against their own lifestyle decisions. If homosexuals have the right to assert their own lifestyles, others have the right to run their own lives based on those same choices.

① Camp over it better him

② But don't want to

encourage him it is

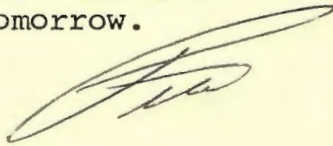
very fine.

Peter Hannaford

11/6/79

TO: Martin Anderson

Here is the information we talked about.
I'll call you about it tomorrow.

A handwritten signature in dark ink, appearing to be 'Peter Hannaford', written in a cursive style.

The New Right report

OCT 29 1979

Viguerie Communications Corporation, 7777 Leesburg Pike, Falls Church, VA 22043 703/893-1411

October 29, 1979, Washington, D. C.

Vol. 8, No. 18

Jim Martin New NRR Editor

After a brief transitional period following editor Morton Blackwell's long and successful tenure, NRR is pleased to announce the appointment of veteran newsman James L. Martin as editor.

Martin brings to NRR a combination of impressive journalism credentials and noteworthy achievements in the world of politics.

A University of Florida graduate in journalism, Martin has covered Congress and the White House for major newspapers and broadcast daily reports on political activities in Washington, to a chain of radio and TV stations.



An award-winning reporter (William Randolph Hearst Award for feature writing), Martin has worked on Capitol Hill as an administrative assistant on both the House and Senate sides.

Martin currently presides over his own advertising agency, raising funds for conservative candidates and organizations. He's been part of the Washington conservative scene for 17 years and has helped scores of conservatives.

Martin is primarily responsible for launching Americans Against Union Control of Government, now six years old and recognized as the largest force in the country opposing unionization of public employees.

He also helped start the National Conservative Political Action Committee just four years ago, now one of the largest and most effective conservative PAC's in the nation.

We welcome editor Martin aboard and we know NRR subscribers will get their money's worth from this journalist.

Prayer for Homosexuals

On October 14th, approximately 25,000 homosexuals gathered in Washington to demand legislative protection. The crowd was much smaller than the 100,000 expected.

At the same time, a small group of Christians led by Dr. Jerry Falwell held a press conference in the Rayburn House Office Building to pray for our nation, and for the moral and spiritual regeneration of the demonstrating homosexuals.

When asked by a reporter who he would support for President, Falwell replied, "I know it won't be Teddy Kennedy. Beyond that I haven't decided, but if Kennedy is the nominee I might have to consider taking a year off from the ministry to work against him. He is morally unfit to lead this country."

In response to a question on the propriety of homosexuality, Falwell replied, "God made Adam and Eve, not Adam and Steve."

In a "Dear Colleague" letter circulated to Republican congressmen, liberal Reps. Pete McCloskey (R-CA) and Bill Green (R-NY) urged Republicans to join them as cosponsors of H.R. 2974, a homosexual protection bill sponsored by Rep. Ted Weiss (D-NY). The bill, which already has 47 cosponsors, would protect homosexuals from discrimination in federally assisted programs, public facilities, housing and employment.

A bill introduced by conservative Rep. Larry McDonald (D-GA), House Concurrent Resolution 166, expresses the sense of Congress that "homosexual acts and the class of individuals who advocate such conduct shall never receive special consideration or a protected status under the law." NRR readers are urged to encourage their Congressmen to cosponsor H. Con. Res. 166.

Exposing Kennedy

National polls continue to show noncandidate Ted Kennedy running high in the presidential stakes against all opponents. However, many political strategists feel that Kennedy's popularity will diminish as his actual record of performance becomes the focus of attention. Kennedy's popularity stems from family charisma and a false public perception of his voting record--rather than from an informed evaluation of his position on critical issues.

None other than Rep. Morris Udall (D-Ariz.), a leading liberal and former presidential candidate, make this point clear in a recent Washington Post interview.

Kennedy's chief weakness, Udall said, is that "the voters are against him on all the issues." Devastating analysis, not by an opponent, but by a 20-year friend of the Kennedy clan, dating back to Udall's support of JFK in 1960.

Many Kennedy followers believe he votes against abortion since he is a Catholic and because he has repeatedly said he is personally opposed to abortion. Not so!! Senator Kennedy is one of the leading pro-abortionists in the Senate.

Since 1973, there have been 37 votes on abortion. Kennedy missed two votes. Twenty-six times he cast solid pro-abortion votes. So far this year, he has voted for abortion at every opportunity.

An effort to expose the facts about Kennedy's voting record is being undertaken by the Committee Against Liberal Legislation headed by Terry Dolan. Funds are being raised to pay for newspaper ads across the country documenting Kennedy's voting record. Donations may be sent to the Committee Against Liberal Legislation, P.O. Box 7580, Washington, D.C. 20044.

Pro-Gun Legislation

Each year, a variety of measures are introduced in Congress to register or otherwise control firearms. Now, for a change, a gun "decontrol" bill has been introduced.

Reps. Harold Volkmer (D-MO), Jim Sensenbrenner (R-WI), Bob Bauman (RMD), and John Ashbrook (R-OH), along with 35 other cosponsors, have introduced H.R. 5225, a bill to protect the rights of law-abiding gun owners. An identical bill has been introduced in the Senate with 31 cosponsors.

These bills would modify the 1968 Gun Control Act through changes such as:

- 1) giving Congress the right of legislative veto over all rules and regulations pertaining to firearms,
- 2) requiring the Bureau of Alcohol, Tobacco and Firearms to have reasonable cause to believe a violation has occurred before entering and inspecting the premises of a licensee and,
- 3) strengthening mandatory sentencing provisions.

Baker Fundraiser Misleading?

Senate minority leader Howard Baker recently mailed out an "Emergency Cable-Gram" fundraising letter. The computer-generated message was a strong plea to "help me lead a nationwide campaign to defeat the SALT II treaty as negotiated by President Carter."

He enclosed a "petition to the U. S. Senate."

He repeatedly used phrases like "Carter's disastrous decision," "never been more concerned," and "dangers of SALT II."

He went on for 20 paragraphs -- talking about the horrors of SALT II and the need for funds to "lead this nationwide fight."

In only one line of the four-page letter and petition package was there any indication that these funds are for Baker's presidential campaign. All other references were to the "Baker Committee" or the "U.S. Senate."

Readers not familiar with the intricacies of political operations and fundraising copy could easily be misled into believing that these funds are destined for something other than Baker's presidential campaign.

Anti-Fonda Truth Squad

As the radical-left team of Jane Fonda and Tom Hayden make their way around the U. S. looking for support in their attack on corporate America, they are encountering more opposition than they expected.

In one Pittsburgh paper, the headline read, "Protesters Upstage Fonda-Hayden." A group of laymen and ministers affiliated with the National Christian Action Coalition had put together a demonstration and successfully cut into Fonda's press coverage.

In many other locations, effective anti-Fonda demonstrations are being organized by the Young Americans for Freedom. Under the direction of Ken Boehm, YAF has published Fonda quotes, participated in radio talk shows and otherwise protested Fonda's appearances. They also conducted a mock trial of Fonda for treason in front of her home, which resulted in national media coverage.

The YAF "truth squad" efforts have been effective. On one campus where Fonda was to speak, she refused to begin her talk until the YAF literature was removed from the premises.

Vermont Taxpayers Union Formed

As national consciousness of the state and federal tax burden increases, people are joining forces to fight tax oppression.

The success of Proposition 13 in California has encouraged people in other states to try to slow down expansion of government by controlling the purse strings.

This summer, the Vermont Taxpayers Union was formed for this purpose, under the direction of state chairman Robert L. Schuettinger, an economist and former editor of the Heritage Foundation's quarterly journal, Policy Review. Dr. Schuettinger is considering running for the U. S. Senate seat now held by liberal Senator Patrick Leahy.

In VTU's first newsletter, Schuettinger describes Vermont as "the fifth most heavily taxed state per capita in the Union." For more information, write Vermont Taxpayers Union, 209 College Street, Burlington, Vermont 05401.

Two New Conservative Journals

It is always encouraging to see conservative scholarly journals enter the market. They provide valuable resources which help offset the seemingly endless studies and volumes which promote all kinds of liberal thinking.

The Lincoln Review, edited by J. A. Parker, is published by the Lincoln Institute for Research and Education. This journal focuses particularly on issues of concern to the black community. The summer edition included such articles as: "The New Slavery," by Senator Orrin Hatch; "Making the Black Vote Count," by Russell Perry; and "Education Goes Back to Basics," by District of Columbia School Superintendent Vincent Reed. For subscription information, contact the Lincoln Institute for Research and Education, Editorial and Business Offices, 1735 DeSales Street, N.W., Suite 500, Washington, D. C. 20036.

The Harvard Journal of Law and Public Policy is solidly conservative, even though it emanates from Harvard. Begun by Spencer Abraham and Steven Eberhard, the Journal is bringing together many top-rate authors and analyses. The summer edition included these articles: "SALT II and the Security of the West," by Senator John Tower; "Validity of a State's Recission of Its Ratification of a Federal Constitutional Amendment," by Peter Michael Jung; and "Israel: What is Occupied Territory? A Reply to the Legal Advisor," by William M. Brinton. For subscription information, contact the Harvard Society for Law and Public Policy, Inc., Langdell Hall, Harvard Law School, Cambridge, Massachusetts.

The "Windfall Profits" Tax Scam

"Illusory, nonsensical and self-destructive" is the way former secretary of Treasury William E. Simon describes President Carter's windfall profits tax proposal.

In his devastating essay "Tilting at Windfall Profits" for Policy Review magazine, Simon, the nation's first energy chief, says that President Carter's so-called "windfall profits" tax program would reduce money available for domestic exploration, making it less likely that new supplies will come into the market. The result would be even more U. S. dependence on OPEC, an increase in the cost of gasoline, and the creation of another bureaucracy which will control more and more of our economic life.

The "windfall profits" tax, says the former Treasury secretary, "amounts to a policy of investment incentives directed at creating and maintaining our energy shortages." Simon stressed that "the faster profits rise, the faster the oil will come into the market and the faster OPEC's stranglehold will be removed. A tax will hinder this beneficial process, either slowing down energy independence or making the consumer pay more for it. In other words, it is Big Government which is ripping us off, not Big Oil."

United Airlines Boycott

The Central New York Right-To-Life Federation has initiated a nationwide boycott against United Airlines to protest a \$7,000 contribution the airline company gave to the Planned Parenthood Association.

Right-to-lifers will continue the boycott until they receive a similar donation from United and are given an assurance that no further donations will be made to Planned Parenthood, one of the nation's leading abortion groups.

Protest letters can be sent to: Richard Ferris, president, United Airlines, Inc., 1200 Algonquin Road, Mount Prospect, Illinois 60056.

Donna Carlson Endorses Baker

In a move which has surprised and confounded many conservatives, Arizona state representative Donna Carlson has recently climbed aboard the Howard Baker for President campaign train. Carlson, who was recently

reelected national chairman of the American Legislative Exchange Council, has apparently followed the lead of her close friend David West, a Phoenix attorney who was Reagan's Arizona chairman in 1976 but has now assumed a major national role in the Baker campaign.

Texas Conservative Switches Parties

Texas state senator Bill Braecklein, a conservative democrat from Dallas, has announced that he is joining the Republican Party. At his announcement, Braecklein said, "More and more Texans are realizing that the conservative force in Texas is the Republican Party."

Texas Republican officials claim that Braecklein's switch is "certain to be the first of a series of like-minded political party switches."

O'Neill Blocks Right-to-Know

When the House of Representatives calls for a recorded vote on an issue, members have 15 minutes in which to cast their votes. A vote is cast by inserting the members special ID card into an electronic box and then pushing the Yes or No button. The vote is instantly recorded by a computer.

In the past, a member could change his vote only by filling out a written request. The clerk would then read his name out loud and announce the change. This procedure allowed all members and the people in the galleries to know who was changing.

The House is now altering this procedure to allow vote switches to be made electronically, eliminating any public announcement or other immediate public record of who switched.

This change is of particular benefit to the liberal leadership. When the democrats are trailing by just a few votes and the 15-minute voting period expires, Speaker Tip O'Neill frequently twists arms to get enough "switches" to win the vote. However, those who switch must face the public embarrassment of caving in to pressure from the leadership.

The new procedure will hide the identity of the switchers.

Social Security Slipping

Next January first, more than 14,000 employees of the state of Alaska will officially withdraw from participation in the Social Security system.

Since state employees are not required to be in Social Security, they held an election and Social Security lost -- 3357 to 2475. The state workers concluded that alternative retirement programs (state and private) would be a better investment.

The high wage rate in Alaska resulted in higher Social Security payroll taxes, while benefits remained the same as in the states where wages are lower.

Over the next two years, it is estimated that as many as 100,000 public employees will withdraw from Social Security. State workers in Colorado, Louisiana, Maine, Massachusetts, Nevada and Ohio -- as well as employees of the federal government -- have never joined the Social Security system.

Postal Service Ripoff

The U. S. Postal Service now forces firms to put U. S. postage stamps on material regularly delivered by private courier to the company's affiliates, divisions and subsidiaries. Postage stamps must also be applied to time-sensitive data processing materials delivered to or from a processing center.

Simply stated, this means that businesses are required to pay the postal service for service it cannot provide. For example, the postal service often cannot provide same-day delivery or overnight delivery, but they effectively prohibit others from doing so by requiring "penalty postage" payments on all materials delivered by private firms.

H. R. 3052, currently pending in Congress, would help remedy this classic government ripoff.

Underground Economy

The General Accounting Office has now confirmed that the Internal Revenue Service is losing about \$100 billion per year as a result of the "underground economy."

An estimated 20 million Americans either underreport their income or do not report it at all.

While there can be no accurate estimate of the volume of illegal business activities (such as drug sales and gambling), the alleged underreporting of legal activities such as independent contracting costs IRS about \$50 billion per year.

The growing popularity of bartering -- the trading of goods and services -- provides another method of tax avoidance. The absence of cash in these transactions makes them hard for the IRS to follow.

The lesson from this should be obvious: when taxes become oppressive, people will find ways to escape them, even at the risk of violating the law.

Unemployment Compensation Discourages Work

A recent report by the General Accounting Office concluded that recipients of unemployment compensation often have little financial incentive to return to work.

The study found that the average unemployed person manages to replace 64 percent of his prior income; 25 percent replace over 75 percent of their income.

This high level of income replacement, combined with reduced expenditures for such things as transportation and child care, makes it easy for unemployed people to avoid looking for new work.

For example, maximum unemployment compensation in the District of Columbia is \$160 per week. In addition, recipients may earn up to \$64 per week without any loss of benefits. This can all add up to a virtual vacation for a whole year while collecting \$11,648 -- mostly tax-free.

Why seriously look for work when you can get a deal like that?

Mayor Resists Federal Pressure for Affirmative Action

Mayor Harry Kelley of Ocean City, Maryland, has told U. S. officials that he would rather relinquish \$100,000 in federal revenue-sharing funds than to acquiesce to a federal order that he increase the number of minority employees on the police force. Mayor Kelley said that police and other city departments already have a higher proportion of minorities than are in the city's population. The mayor told U. S. officials in not-so-delicate terms that he has had enough of the federal investigators who want the city to adopt a minority hiring plan.

HUD Wastes Another \$65,000

Federal auditors have discovered that the Department of Housing and Urban Development (HUD) purchased \$65,000 worth of new furniture just before the end of fiscal year 1978 -- and most of the items are still stored in a Denver warehouse. The auditors found 111 desks, 24 file cabinets, 13 credenzas, 24 couches, 3 tables and 128 chairs which have never been uncrated. The auditors concluded that HUD "did not purchase the furniture based on actual requirements...but merely to exhaust fiscal year appropriations balances before the authority to obligate the funds lapsed on September 30, 1978."

Right-To-Work Benefits

At every opportunity, AFL-CIO officials refer to the Right-to-Work Committee as the Right-to-Work-for-less Committee.

But-- the facts contradict that claim.

A recent Chicago First World Report has made it clear that workers in Right-to-Work (RTW) states fare much better than workers in states which allow compulsory unionism. For example:

- ** Per capita disposable income in RTW states is \$4,606; in compulsory unionism states it is \$4,601.
- ** Unemployment in RTW states has averaged one percent less than compulsory unionism states for the past several years.
- ** RTW states lead the nation in the creation of new jobs.

Statement by Ronald Reagan. Fall, 1978

I don't approve of teaching a so-called gay lifestyle in our schools, but there is already adequate legal machinery* to deal with such problems, if and when they arise.

This measure has nothing to do with those special so-called gay rights issues in Dade county, Florida and elsewhere. Instead, it has the potential of infringing on basic rights of privacy and perhaps even constitutional rights.

It is cumbersome and has potential for real mischief. For example, it would require that if a complaint is filed against a teacher a full public hearing must be held by the school board. What if an overwrought youngster, disappointed by bad grades, imagined it was the teacher's fault and struck out by accusing the teacher of advocating homosexuality? The school board, sitting -- in effect -- as a court, would have to judge the matter in public. Innocent lives could be ruined. Under present law, such matters can be investigated first to see if they have any merit.

Proposition 6 is not needed to protect our children -- we have that legal protection now. It could be very costly to implement and it has the potential for causing undue harm to people.

§ § § § §

* According to various legal experts, including Attorney General Evelle Younger.