

Senate Panel Moves to Block Bias Against Gays at Work

By ADAM CLYMER

WASHINGTON, April 24 — A Senate committee approved legislation today to prohibit job discrimination based on sexual orientation, advancing a bill the Senate could pass this year but the House is unlikely to take up.

Another measure to protect gays, which would make hate crimes a federal offense punishable by life in prison, will be brought sometime in the next three weeks, said Ranit Schmelzer, a spokeswoman for Senator Tom Daschle of South Dakota, the majority leader. That bill, which the Senate passed in 2000 only to see House leaders bury it, would also provide money to help local law enforcement agencies prosecute hate crimes.

The job discrimination bill, which Ms. Schmelzer said would come up later this year, came within one vote of passage in 1996, going down to a 50-to-49 defeat when the Senate was in Republican hands.

It prohibits discrimination in hiring, firing, wages and other conditions of employment, and union membership, based on sexual orientation. It would apply to employers,

including government but not the armed services, and to employment agencies and unions. It does not cover employers of 14 or fewer workers or religious organizations.

Senator Edward M. Kennedy, Democrat of Massachusetts, the bill's chief sponsor and chairman of the Committee on Health, Education, Labor and Pensions, called the bill "a giant step forward" that would curb discrimination that was an "insidious aspect of American life."

Senator Judd Gregg of New Hampshire, the committee's senior Republican, disagreed, arguing that the issue was best left to the states. Twelve states and the District of Columbia have barred job discrimination based on sexual orientation. He said the bill would create "a lawsuit heaven."

The committee adopted the bill by voice vote and discussion was brief. One Republican, Senator Susan Collins of Maine, supported it, dismissing the argument of conservative groups that the bill created special privileges for gays.

"To do this is not to create a special right for gay men and lesbians, but to end discrimination against them, as we have done for others," Ms. Collins said. "To do less is to close our eyes to this inequity in our laws, and to give a quiet nod to discrimination in the workplace in a country that prides itself on rewarding merit and hard work."

No one suggested the prospects in the House were anything other than very difficult this year. Representative Mark Foley, a Florida Republican and a chief sponsor, said he was hopeful but had no indication the leaders would let it come to a vote. Representative Chris Shays, a Connecticut Republican and another chief sponsor, said: "This is kind of a long struggle. This is not something I see happening this year." Terry Holt, spokesman for Representative Dick Armey of Texas, the House majority leader, said neither the jobs bill nor the hate crimes bill was a priority for House action this year.

In the House, the employment bill has 190 co-sponsors, including 21 Republicans, and Mr. Foley said, "If it gets to a vote, we will pass it."

Supporters such as Elizabeth Birch, executive director of the Human Rights Campaign, said she thought it would be necessary to "attach it to something else" and fight in a House-Senate conference. That was the tactic used in 2000 on the hate crimes bill. Despite a 232-to-191 vote telling House conferees to accept the measure, it was killed in conference on a Pentagon authorization bill.

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