

# Q Notes

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## Supreme Court protects freedom of the Internet

by Liz Tracey  
Special to Q-Notes

NEW YORK—The Supreme Court's June 26 decision to preserve free speech on the Internet, by finding the Communications Decency Act (CDA) in violation of the First Amendment, was applauded by free speech advocates across the nation. In the gay and lesbian community, the ruling was met with added enthusiasm because many feared that the CDA would limit the rights of Internet users to freely discuss issues regarding sexual orientation.

The CDA, passed as part of the Telecommunications Act of 1996, prohibited "patently offensive" or "indecent" content on the Internet. Last June, a three-judge panel found the CDA unconstitutional, at which point the Department of Justice appealed the case to the US Supreme Court.

"The Supreme Court's decision is a victory for all those who believe that the Internet is a vital source of both information and community for Americans," said Joan M. Garry, executive director of the Gay and Lesbian Alliance Against Defamation (GLAAD). "For the lesbian, gay, bisexual and transgender commu-

nity, the Internet has been particularly important, both in advancing our visibility and as a political, cultural and social tool. The Court's determination of the CDA as unconstitutional is one which rejects silencing vibrant Internet communities, and in the best traditions of free speech, allows for a diversity of voices on what is a still evolving media form."

Writing for the majority, Justice John Paul Stevens said, "The CDA is a content-based regulation of speech. The vagueness of such regulation raises special First Amendment concerns because of its obvious chilling effect on free speech."

Loren Javier, Interactive Media Director for GLAAD, commented: "Justice Stevens sums up the ambiguous and vague language of the Communications Decency Act quite well. The law would have had dramatic effects on a medium where the lesbian, gay, bisexual and transgender community thrive. If small-minded bigots were making decisions based on hate regarding 'indecent' on the Internet, many lesbian and gay sites, including GLAAD's, might have perished." ▼



## AIDS activists arrested for angry takeover of Glaxo Wellcome office

by David Stout  
Q-Notes Staff

NEW YORK—Seven members of ACT UP/New York were taken into police custody June 24 following their seizure of Glaxo Wellcome's Investor Relations office in Manhattan. The takeover began at 9:15am and continued until officers physically removed participants an hour and a half later.

Although the occupation was spurred by Glaxo's announcement to limit the expanded access program for its heralded new AIDS drug 1592 to just 2,500 people worldwide (a situation that members labeled "criminally inadequate"), the company has long been accused of putting profits before public health.

Over the last few years, the number of patients allowed to participate in pre-market drug access programs has shrunk by 90 percent. Since as many as 30 percent of people with AIDS

two cash cows...."

Activists make a compelling case that profit-margins, not patient welfare, could be directing Glaxo's marketing scheme with relation to its two best-selling AIDS pharmaceuticals. Already proven stronger than either AZT or 3TC, 1592 will replace both. And thus far, the company has reaped an astonishing \$2.54 billion in sales of AZT alone, says ACT UP/New York spokesman John Riley. And the money keeps rolling in, he charges. "Even though sales of AZT and 3TC skyrocketed in 1996, Glaxo slapped a 3 percent price increase on these overpriced drugs last fall. They now retail for nearly \$3,800 and \$3,100 per year respectively."

As part of their takeover demands, activists called on Glaxo to drastically lower prices of AZT and 3TC immediately. They also requested the upcoming expanded access program for 1592 be enlarged to include all people who need the drug, a number estimated to be around 10,000 just in the US.

ACT UP is not the only body pressuring Glaxo over its handling of 1592, though. The company is becoming a target for many AIDS organizations worldwide. The Canadian direct action group AIDS Action NOW demonstrated June 19 at Glaxo's new plant in Toronto, demanding an enlarged access program. The San Francisco board of supervisors is slated to vote on a resolution calling on the company to provide 1592 for all San Franciscans with AIDS who need it. Additionally, a growing number of AIDS organizations are calling for a boycott, with groups as far away as Israel and Argentina signing on. Even the new White House AIDS czar Sandy Thurman is attempting to negotiate with Glaxo for larger supplies of 1592.

Despite these strong-arm tactics, so far Glaxo has given no indication that it will alter its pricing or 1592 access policies. But, as public pressure continues to grow, there is a likelihood that changes will occur. As one AIDS activist observed, "If we continue to show people that these drug companies are making billions off of our illnesses without any true regard for our health, public sentiment will turn against them. After all, who would want to do business with a company that got sinfully rich by rationing its life-sustaining 'product' among the dying? The answer is 'nobody.' So we're going to make sure the word gets out." ▼

## Support group for gay youth receives bigoted IRS response

by Peg Byron  
Special to Q-Notes

GREENSBORO—Advocates for gay, lesbian, bisexual and transgender youth are demanding that the Internal Revenue Service (IRS) withdraw its anti-gay response to a request for non-profit status by the Gay and Lesbian Adolescent Support System (GLASS). They have also asked the federal agency to promptly grant GLASS federal tax exemption.

"GLASS is a well-run, grassroots support group that helps young people besieged by anti-gay bigotry. The IRS response to this pillar of the Greensboro community is shockingly discriminatory," said Lambda Legal Defense and Education Fund Staff Attorney David Buckel, who sent a letter to the tax agency on July 2.

After GLASS asked for tax exempt status under Internal Revenue Code section 501(c)(3), the IRS sent the group a letter last fall that hinged approval on the following: "Please describe in detail the procedures and safeguards in place to assure that counsellors (sic) and participants do not encourage or facilitate homosexual practices or encourage the development of homosexual attitudes and propensities by minor individuals attending your programs."

Buckel said, "GLASS's very purpose is to raise the self-esteem of youth who face harassment and violence because they are gay, bisexual, or perceived to be so. As a non-profit, charitable and educational organization, GLASS is entitled to tax exemption."

He continued, "The IRS should be as worried about 'homosexual attitudes' as about 'heterosexual attitudes' — namely not at all."

Lambda Managing Attorney Ruth Harlow said, "The IRS also needs to guarantee an application process free of discriminatory requests for information. This powerful federal agency is supposed to enforce the tax code, not police people's attitudes or sexual orientation. The IRS

had better refocus on its proper role and ensure that it gives fair treatment to all applicants, including lesbian and gay organizations."

She noted, "President Clinton himself has called for strengthening America's communities by boosting volunteer efforts and countering anti-gay hate crimes, exactly what GLASS aims to do. This worthwhile community safety net should not be subjected to offensive scrutiny by the federal government."

GLASS was formed to meet the needs of young people facing anti-gay bigotry and abuse by providing support groups, educational materials and counseling referrals. It is staffed entirely by volunteers and has served about 120 youth between the ages of 15 and 21 since it started in 1994.

In Atlanta, Jane Morrison, Managing Attorney for Lambda's new Southern Regional Office, said, "The IRS seems to be hindering development of important, grassroots, lesbian and gay organizations that parents as well as young gay people desperately need. Even as support for lesbians and

gay people grows in this part of the country, there still is great need for organizations like GLASS."

Morrison added, "One North Carolina mother has driven her son 40 miles to this group, and even a social services agency in Greensboro's neighboring Rockingham County has called on GLASS for help."

Noting that the IRS inexplicably bumped the GLASS application from a local Atlanta office to its national headquarters in Washington, DC, Buckel said the letter received by GLASS echoes anti-gay IRS responses from as early as the 1970s and suggests that anti-gay zealotry persists in the agency.

"Lambda is concerned that the agency routinely discriminates against the growing number of lesbian and gay youth groups throughout the country," Buckel said. ▼

**"The IRS response is shockingly discriminatory."**



Police take Glaxo demonstrator into custody

Photo credit: ACT UP/New York

have failed the extremely promising new three-drug combination therapy, there is a significant number of people who are desperate to find a powerful alternative — 1592 offers that hope.

Activists have challenged Glaxo's business practices from the earliest days of the epidemic, when it introduced what would become the most-prescribed and best-known AIDS drug on the market: AZT.

According to Bill Bahlman of ACT UP, the forthcoming market losses for AZT and the similar 3TC are causing Glaxo to drag its feet. "Glaxo Wellcome's slow development of 1592 is due to the pharmaceutical giant's desire to squeeze the very last profit dollars out of its

## CPA selects leaders for first year

by David Stout  
Q-Notes Staff

CHARLOTTE—Charlotte Pride Alliance (CPA), the grassroots, political organization formed in response to the anti-gay measures enacted April 1 by Mecklenburg County Commissioners, recently announced the election of chairpersons for its five standing committees, while three additional members were tapped to serve as coordinators.

CPA is a membership organization open to anyone who wants to work toward equality for gay, lesbian, bisexual and transgender people. Although everyone is encouraged to participate in CPA, only members may vote. Individuals can become members by completing a membership form and serving the organization in

some capacity (committee member, donor, volunteer, etc.).

According to CPA's bylaws, "Each committee shall select annually from its membership one or two individuals to serve as chairperson(s). 1) This/these individual(s) agree to serve a one-year term; 2) there shall be no limit to the number of terms an individual(s) may serve as chairperson(s); 3) committees shall select the chairperson(s) prior to Charlotte Pride Alliance's annual meeting to be held on or about April 1st; 4) the chairperson(s) will be recognized at the annual meeting; 5) it is the responsibility of committee chairperson(s) to insure that minutes of committee meetings are kept and delivered to the Education/Research committee."

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