



Heeding Task Force, HRC, Many Others, Congress Slows Down ENDA

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With less than 24 hours to go before a House committee was due to take up the amended version of the Employment Non-Discrimination Act (ENDA), stripped of transgender protections, Democratic leaders in the House have put off the hearing in the face of a storm of criticism from LGBT leaders nationwide.

In a statement released late on October 1, Speaker Nancy Pelosi and the House's two out LGBT members, Democrats Barney Frank of Massachusetts and Tammy Baldwin of Wisconsin, wrote, "After discussions with congressional leaders and organizations supporting passage of ENDA, we have agreed to schedule mark-up of the bill in the Committee on Education and Labor later this month, followed by a vote in the full House. This schedule will allow proponents of the legislation to continue their discussions with Members in the interest of passing the broadest possible bill."

Earlier in the day, both the National Gay and Lesbian Task Force (NGLTF), along with 89 other state and national LGBT groups, and the Human Rights Campaign (HRC), joined by 16 other civil rights groups, including NGLTF, had urged Congress to slow down.

The two appeals came in separate letters.

The statement that was signed by both HRC and NGLTF, on the letterhead of the National Conference on Civil Rights, opened by saying, "We write to express our opposition to the strategy and process by which the Employment Non-Discrimination Act (HR 3685) is to be considered by the House of Representatives."

Addressed to Committee Chair George Miller, a California Democrat, the letter asked that the October 2 mark-up of the bill in committee be canceled and the original commitment to an approach inclusive of both sexual orientation and gender identity be restored.

Joined by civil rights groups including the American Civil Liberties Union, People for the American Way, the National Council of Jewish Women, and the Unitarian Universalist Association of Congregations, as well as the National Center for Transgender Equality, the National Center for Lesbian Rights, and Parents, Families, and Friends of Lesbians and Gays (PFLAG), the letter noted that ENDA had been amended based on the political judgment of Frank, the Massachusetts Democrat. Frank argued that the votes do not exist to pass a comprehensive ENDA.

The 17 organizations that signed the letter termed that calculation "a mistake."

More lobbying and education could do the job, advocates insist.

The second letter, signed by a massive coalition of LGBT groups around the country, could be interpreted as stronger, though only in nuance. Emphasizing not only "strategy and process," it makes clear that the 90 groups would work to block a version of ENDA that does not include transgender protections.

"We oppose legislation that leaves part of our community without protections and basic security that the rest of us are provided," the letter stated.

HRC, the community's leading Capitol Hill lobbying group, did not sign on to this letter. NGLTF was joined by leading legal rights organizations, including Lambda Legal, Gay & Lesbian Advocates & Defenders of Boston, and the National Center for Lesbian Rights, in San Francisco; the National Stonewall Democrats; Pride at Work-AFL-CIO; the National Coalition of Anti-Violence Programs; the Gay, Lesbian, and Straight Education Network (GLSEN); Freedom to Marry; Immigration Equality; the National Black Justice Coalition; and the Matthew Shepard Foundation.

Transgender rights organizations were strongly represented in the letter - the National Center for Transgender Equality, the National Transgender Advocacy Coalition, the Transgender American Veterans Association, the Transgender Law and Policy Institute, the Transgender Legal Defense and Education Fund, TransYouth Family Advocates, the Transgender Law Center of California, the New York Association for Gender Rights Advocacy, and the Tennessee Transgender Political Coalition.

The letter was also signed by dozens of statewide LGBT organizations including Equality California, Equality Texas, the Empire State Pride Agenda of New York, Equality Illinois, Equality Advocates Pennsylvania, the Triangle Foundation of Michigan, Garden State Equality of New Jersey, Equality Virginia, Equal Rights Washington, Equality Maryland, One Iowa, Kentucky Fairness Alliance, Equality Maine, and Equality New Mexico.

In a telephone press conference discussing this letter, NGLTF's executive director Matt Foreman underscored the stronger warning contained in this second letter.

"We refuse to accept and in fact oppose any legislation that leaves any portion of our community behind," he said.

Pressed on which members of Congress had committed to oppose the bill unless gender identity language is restored, Foreman said, "Our strategy is get back to where we were last week. We are not in the position to get people to vote against" the new version of the bill. Instead, he explained, the goal is put any vote off unless and until the gender provisions can be put back in the legislation.

However, Foreman added, regarding the posture of members of Congress, "Nobody has made public statements but Tammy Baldwin has not signed on and I think that speaks volumes."

As first reported in Gay City News on Friday, a spokeswoman for Baldwin, a Madison, Wisconsin Democrat, confirmed that the lesbian congresswoman has not put her name on the amended ENDA as a sponsor.

Mara Keisling, the executive director of the National Center for Transgender Equality and the lead gender activist on the call, said, "I am overwhelmed today by the outpouring of support," she has seen since word that ENDA was being amended first surfaced.

Jody M. Huckaby, PFLAG's executive director, said that when the group sent out an action alert on this issue last Friday, "the response was unlike anything we've seen before."