



Bill Stalls Over Transgender Protections

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WASHINGTON (AP) — Legislation to criminalize workplace discrimination against gays, lesbians and bisexuals — but not those who have had sex-change surgery or cross-dressers — has stalled in the House after an impassioned outcry against excluding people from the bill.

"We are one community, and we demand protections for all of us, and nothing else will suffice," said Matt Foreman, executive director of the National Gay and Lesbian Task Force.

But House Democrats said while they have the votes to pass a bill banning workplace discrimination against gays, lesbian and bisexuals, they don't have the votes if transgender people are included.

"There is more resistance to protection for people who are transgender than for people who are gay, lesbian and bisexual," Rep. Barney Frank, D-Mass., said in a statement. "This is not a good fact, but ignoring bad facts is a bad way to get legislation passed."

Frank said having the votes to pass a bill banning discrimination against gays, lesbians and bisexuals is historic. Republicans had not permitted votes on similar measures while they controlled the House in past years.

But the outcry from the transgender community and its allies prompted Frank and Rep. Tammy Baldwin, D-Wis., two openly gay members of Congress, to seek more time. As a result, House Speaker Nancy Pelosi and House Education and Labor Committee Chairman George Miller, both California Democrats, agreed to put off a committee vote on the bill until later this month.

Advocates have until then to build up enough support to pass a bill that includes transgender people.

"It's up to us to find the votes," said Mara Keisling, executive director of the National Center for Transgender Equality in Washington.

"Transgender" is an umbrella term that covers transsexuals, cross-dressers and others whose outward appearance doesn't match their gender at birth.

The Employment Nondiscrimination Act would make it illegal for employers to make decisions about hiring, firing, promoting or paying an employee based on sexual orientation or gender identity. Churches and the military would be exempt.

However, once Democrats started counting votes and realized the measure would fail, they substituted a new version dropping transgender people from the bill, Frank said.

"It became very clear that while we would retain a significant majority of Democrats, we would lose enough so that a bill that included transgender protection would lose if not amended, and that an anti-transgender amendment would pass," Frank said.

The Human Rights Campaign, a leading gay rights group, acknowledged the situation Democrats are in.

"Though we support a fully inclusive ENDA, we acknowledge the legislative strategy put forth by Congressman Frank and the Democratic leadership to obtain a clear path towards an inclusive bill in the future," said Joe Solmonese, president of the Human Rights Campaign.

Federal law bans job discrimination based on factors such as race, gender and religion. Nineteen states and the District of Columbia have laws against sexual orientation discrimination.

However, only nine states specifically protect transgender people from discrimination: New Jersey, Minnesota, Rhode Island, New Mexico, California, Illinois, Maine, Hawaii, Washington. The District of Columbia also has a similar law.

By January, laws also will be in effect in Iowa, Vermont, Colorado and Oregon.