

# San Francisco Chronicle

## Gay rights champ Rep. Barney Frank lashes out at critics

[Carolyn Lochhead, Chronicle Washington Bureau](#)

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The leading champion of gay rights in Congress ripped into what he called self-defeating ideological purists on the left who are unhappy with the Democrat-led Congress over issues such as the Iraq war and dropping transgender people from a job discrimination bill.

Rep. Barney Frank, a Massachusetts Democrat who is gay, is under ferocious attack from gay rights organizations for his decision to strip transgender people from a long-sought bill to protect gays, lesbians and bisexuals from job discrimination.

Clearly angered by unaccustomed criticism from his most ardent allies, Frank called a press conference Thursday - which coincided with National Coming Out Day - in which he accused gay rights organizations of an all-or-nothing approach that punishes their friends and damages the prospects for future gay-friendly legislation.

Straying well beyond the transgender issue, Frank struck back at a much broader belief among many liberal voters and constituencies that the new Democratic majority on Capitol Hill has failed to deliver as much as expected. He warned activists that they were in danger of a Terry Schiavo-style miscalculation, referring to Republicans who tried to cater to core voters by intervening two years ago in the case of a Florida woman on life support.

"This is a moment of truth as far as I'm concerned for responsible liberals in the Democratic Party," Frank said.

"The question is: Can we govern responsibly? And governing responsibly means working with everybody, listening to and exchanging views with the people who care passionately ... but then as you go forward with the goals, taking reality into account," Frank said. "People who then denounce those who take reality into account ... make it impossible for us to govern."

Frank's volleys mirrored comments Wednesday by House Speaker Nancy Pelosi of San Francisco, who defended herself against attacks from Code Pink and other anti-war groups that Democrats are not doing enough to end the Iraq war. Noting that anti-war demonstrators had been camped at her San Francisco home for months, Pelosi said, "They are advocates. We are leaders. We have a different responsibility."

Frank said he would press ahead with a vote on the jobs discrimination bill, which for the first time would outlaw workplace employment based on sexual orientation. An original version of the bill also barred discrimination based on gender identity.

With a House vote expected by the end of the month, the result could be awkward for Democrats and gay rights organizations alike: passage of a landmark anti-discrimination bill sought for three decades that lacks support from a large segment of the gay community.

Nearly 300 gay rights organizations, including the major legal advocacy organizations, have signed a letter to Pelosi opposing the move to drop transgender people from the Employment Non-Discrimination Act, known as ENDA. The American Civil Liberties Union, the Leadership

Conference on Civil Rights and other groups are closely supporting the effort. Advocates said their organizations have 2 million members.

After much internal deliberation, the Human Rights Campaign, a close Frank ally and the largest gay lobbying group in Washington, said it backs transgender inclusion in the bill but would not oppose legislation that includes only sexual orientation.

### **Some support**

Many gay, lesbian and bisexual people have voiced support for Frank's approach in informal polls and in Internet discussions.

Chris Crain, editor of Gay- NewsWatch.com, said his unscientific Internet poll showed about one-third supporting Frank, one-third supporting gay rights leaders and a third saying sexual orientation and gender identity should not be lumped together.

Both Frank and gay leaders expressed dismay over their rift.

**"I think every single one of us is sick at heart over this situation," said Matt Foreman, executive director of the National Gay and Lesbian Task Force. "I personally never in a million years thought I would be on the opposite side of Barney Frank, and it is incredibly painful. That said, this was not a fight of our choosing."**

**Foreman took issue with Frank's arguments that all civil rights struggles are incremental.**

**"No civil rights movement has left part of its community behind as it moved forward, and we're not about to be the first one to do so," Foreman said.**

Andrea Lafferty, executive director of the Traditional Values Coalition, was waiting outside Frank's press conference and said in her two decades of fighting against gay organizations, she had never seen such infighting and confusion.

"I have never seen them move on a bill and have the whole plan melt down," she said. "Barney Frank marches out there and finds there are no troops behind him."

Frank said Democratic vote counts show that a bill including transgender people would fail but that one excluding them would pass. He said it would be morally wrong to fail to provide protection for gays, lesbians and bisexuals while it could be achieved.

He lambasted gay leaders' insistence on waiting until votes could be secured for a broader bill as an "ideological purity that plagues American politics, that holds liberalism back in a number of areas, and I think it would be a great mistake to allow that to win in this case."

The country is not ready to include transgender people, Frank argued.

"To win this vote, we need to get the votes of people who beat Republican incumbents last year in districts that voted for George Bush, and we're going to yell at them because they only vote to protect people from discrimination based on sexual orientation and are not yet ready to include transgender?" Frank said. "These are people who are with us if a marriage amendment came up again, and they'll be with us on gays in the military."

### **After the House**

Yet even if the House passes a bill, it stands little chance of becoming law anytime soon. No action is expected in the Senate this year. President Bush is widely expected to veto such a measure, as he has promised to do on a hate-crimes bill that has passed the House and Senate and includes transgender people.

Frank, at his news conference, reminded his critics that though Democrats won a House majority, they control just 51 seats in the Senate, where 60 votes are needed to overcome Republican filibusters that block legislation.

Frank said Pelosi is the most pro-gay, lesbian, bisexual and transgender supporter ever to achieve such power in Washington, and he wondered if gay rights leaders had been watching the "Wizard of Oz" too much.

"Nancy Pelosi is not Glenda the good witch," Frank said. "She can't wave her magic wand and make people from all over this country vote however she wants them to vote.

"What troubles me is this notion, and not just on this issue, it's people on the left who are insisting on impeachment, it's on people who say why haven't you stopped the war," Frank said.