

OPINION

Stop the Barney bashing

Where were all the ENDA critics when we needed them?

Friday, October 19, 2007

DEMOCRATS BARNEY FRANK, Tammy Baldwin, Steny Hoyer, Nancy Pelosi, Harry Reid and Ted Kennedy deserve our thanks for passing trans-inclusive hate crimes legislation.

Now on to the Employment Non-Discrimination Act! On the eve of the House taking up ENDA, inclusion of the words “gender identity” was raised as an issue. I know that Frank and Baldwin have been trying to see if the votes are there for an inclusive bill, which we all want. But if those votes are not there, then our national organizations must face this head on. The problem is that our community doesn’t agree on what their decision should be regarding a bill that doesn’t include gender identity. And when I say our community, I don’t mean just members of their boards and a few vocal activists — I mean our entire community.

Frank proposed a solution to this that takes into consideration the reality we face in Congress. He introduced two bills, one without gender identity and then an amendment that puts gender identity into the bill. His strategy allows us to get a vote on ENDA and if the votes are there for an all-inclusive bill, then that would be the final version. But what it doesn’t do is condemn ENDA to a total loss if we can’t get the votes for an all-inclusive bill now.

The Gay & Lesbian Activists Alliance’s recent action alert states what we all want: an inclusive bill. It adds, “We are sure of one thing: whatever happens now, the struggle for equality will not end until all are protected.” That’s a sentiment we all support.

MY PROBLEM IS the viciousness of some attacks on Frank for proposing this scenario. Frank is the most stalwart proponent of advancing civil and human rights for our community in Congress for more than 20 years. He has stood up to bigots both in and out of Congress. But there are those in our community who would now attack him as if he were the devil incarnate and claim that he is anti-trans and make it appear that he alone is responsible if we can’t get an all-inclusive bill now. This is absurd. Frank has been voted by his peers as the smartest member of Congress — and I agree. One thing he has always known how to do is count votes. And his counts aren’t based on wishful thinking but on reality.

I empathize with our activists — I am one. But it is they and not Barney Frank who should be questioned. Where were all the organizations now opposing a non-inclusive bill over the past year? Were they sleeping? **Matt Foreman, executive director of the Task Force said he would oppose ENDA without gender identity.** In 2002, when New York passed its version of ENDA, Foreman as executive director of Empire State Pride Agenda opposed a trans amendment to make that bill inclusive. In the Dec. 25, 2002, Village Voice he said, “I’m no longer going to stand on statements that sound good and get us nowhere. We want deliverables.” He needs to explain why that reality is different than the one we face today in Congress. Why doesn’t Foreman want deliverables now?

OUR NATIONAL ORGANIZATIONS have made difficult decisions before and we have been angry at them for some. We stopped giving to the Task Force when it got involved in every

issue under the sun and Human Rights Campaign when it endorsed Alfonse D'Amato.

But now we are faced with reality and crunch time. We can take issue with Frank's strategy to move ENDA forward but not with the person who has been the leader of our community in Congress for 20 years.

Do we wait one year, two years or another 10 years for ENDA to pass? In that time how many men and women will lose their jobs or be denied jobs or promotions? How many will lose their own and their children's health insurance? How many might lose their homes? Does the transgender community really want to hold up protections for everyone else if they can't be included now? I stand fully with those that want an all-inclusive bill, but we need to answer these questions for the entire community.

Our national organizations need to look at these issues as they make this crucial decision to possibly have the GLBT community for the first time oppose gay civil rights legislation. What would that stance do to our future clout in Congress? We need to look at history and we need to look to the future as we decide this issue.