

Poll results questioned as ENDA fallout continues

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America's leading lesbian, gay, bisexual and trans equality organisation, Human Rights Campaign, has been challenged by gay journalists over an opinion poll it published in relation to the Employment Non-Discrimination Act (ENDA).

The proposed new law was originally framed to protect LGBT people from workplace discrimination, but was amended to remove trans people when it became clear that an unamended ENDA would not pass the House of Representatives.

More than 300 LGBT equality groups joined forces as United ENDA to oppose the new version of the bill, while HRC stood by the LGB-only law.

There were resignations from the board of HRC and the organisation was widely criticised for "selling out" trans people.

ENDA passed the House of Representatives on Wednesday by 235 to 184.

The day before HRC released a poll showing that:

"70% of LGBT Americans prefer passing an Employment Non-Discrimination Act that does not cover transgender people over not passing the bill at all," *The Advocate* reported.

"The poll, commissioned by the Human Rights Campaign and conducted on October 26th, surveyed 500 members of the LGBT community across the country."

Gay journalists Rex Wockner and Cynthia Laird are now publicly questioning the methodology of the HRC poll, and claim the organisation refuses to say who carried out the survey on their behalf.

In a letter to HRC president Joe Solmonese, they said:

"We feel that HRC, as the largest LGBT organization in the country, owes a complete and full explanation about its poll, in the interest of transparency to its members and to LGBT people in general."

They questioned how the 500 people polled were chosen.

"Mr. Luna (HRC communications director Brad Luna) told Ms.Laird that they were not HRC members and were not subscribers of *The Advocate*.

"If this is the case, how were they identified as LGBT? It is our educated guess that most polling organisations, to get a random sample of 500 LGBT people, would need to telephone in the neighbourhood of 10,000 Americans at random.

"If this is the case, how could this be done in one day, October 26th, as reported in the *Advocate* story?"

Mr Wockner and Ms Laird also questioned the breakdown of those questioned into LGB and T groups and the margin of error of the survey.

Mr Solomonese has defended HRC's decision to move forward with a version of ENDA that excludes trans people.

"We're on the brink of a historic step in the right direction toward what we're all fighting for," he said before Wednesday's vote.

"With a bill on the floor, regardless of whether you think it ever should have gotten there or not, I would hope that most people think it's important for our entire community that the bill pass rather than fail."

ENDA, which would make it illegal to fire, refuse to hire or promote a person based on sexual orientation, now goes to the Senate.

Equality Federation, one of the coalition partners in United ENDA, said in a statement:

"Over the past few weeks, Equality Federation and 40 state organisations have stood with over 350 national, state, and local lgbt groups in the United ENDA coalition to urge Congress to pass legislation that bans discrimination against lesbian, gay, bisexual and transgender workers.

"Federation member groups educated their constituents about the importance of inclusive legislation, and tens of thousands of equality supporters from across the country contacted their congressional representatives urging passage of an inclusive ENDA.

"Equality Federation and state leaders are profoundly disappointed that these voices were not heard.

"But we are not defeated.

"The legislation passed today will not become law. Instead, it will be debated and reintroduced in a future session of Congress.

"Equality Federation and state organizations will continue educational and lobbying efforts to ensure that the ENDA finally enacted will be an inclusive law."

Democrat and Republican gay groups both welcomed the passing of ENDA in the House.

"This historic day marks tremendous progress in efforts to provide basic fairness for gay and lesbian Americans," said Log Cabin Republicans president Patrick Sammon.

"This long-overdue bill makes it very clear that what matters in the workplace is competence and fairness, not sexual orientation."

Jon Hoadley, executive director of National Stonewall Democrats stressed that the fight is far from over, not least within his own party.

"Although we note the historical significance of today's vote, we must also recognise the position of the majority of congressional Democrats who fought to move an inclusive bill forward.

"While we recognise incremental advances occur in civil rights legislation, these advances must be incremental for our entire community.

"HR 3685 (ENDA) did not meet that burden, which is why some Democratic Members of

Congress voted against the bill.

"Now that HR 3685 has passed, we continue our focus on educating Congress on the need to advance a bill which our entire community supports.

"While we may disagree on past strategy, we share the concerns of Congressional leaders who seek to correct legal discrimination on the basis of sexual orientation and gender identity.

"Efforts during this past month have demonstrated the support and power of true grassroots organising which our community provides."

It was left to Matt Foreman, executive director of America's first gay rights organisation, the National Gay and Lesbian Task Force, to inject some reality into the debate.

"We are deeply disappointed that House leadership decided to ignore the position of a vast majority of LGBT organisations, ignore the legal assessment that this bill may not even provide adequate protections for gays, lesbians and bisexuals, and ignore the fact that this vote might make it more difficult to persuade members of Congress to support a fully inclusive bill in the future," he said.

"We are also disappointed that House leadership forced many members of its own caucus to choose between voting for a bill not supported by most in the LGBT community, or voting against a civil rights bill.

"This entire process has been painful, divisive and unnecessary. And worst of all, we went through all of this on behalf of a bill that the President has already said he would veto.