

## ‘State of the Movement’ Address by Matt Foreman, Executive Director, National Gay and Lesbian Task Force

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**DETROIT, Feb. 8** — As always, I cannot tell you how privileged and humbled I am to be here speaking to you — as I’ve said before, you are the heart, the soul, the brains and the brawn and the past, present and future of our movement for equality and liberation.



Let me preface my remarks by highlighting one piece of incontrovertible good news: No matter what, in 347 days we will have a new president and the most anti-LGBT, corrupt, lying, disastrous administration in history of our nation will come to an end.

One other thing I think we can all celebrate, no matter who you’re for, we can all take pride that for the first time we have a front-runner for president who’s a woman, a front-runner who’s African American, and until a couple of weeks ago a former front-runner who’s a bitter heterosexual crossdresser.

Today, I’m going to talk about some of our community’s accomplishments since we last met in Kansas City, Mo., the challenges we continue to face, and, finally, what I think we need to do through the rest of the year and into the new administration.

When we met in Kansas City, we’d just come out of the 2006 midterm elections and our hopes were high that we could finally get off the defensive and start moving forward on our long-stalled agenda in Washington, D.C.

Well, if this last year has proven anything it’s that equality truly does begin at home — in our towns, cities and states — and certainly does not flow down from our nation’s capital.

At home — in our towns, cities and states — we collectively had our best legislative year ever. Four states — Iowa, New Jersey, Maryland and California — passed laws to combat bullying and harassment of our young people in public schools. Nearly 20 towns and cities passed nondiscrimination laws — all but one protecting all of us, including trans people — and that happened in places hardly known for liberal politics.

Three states enacted inclusive nondiscrimination laws — Iowa, Colorado and Oregon. Thank you Basic Rights Oregon, One Iowa, Iowa Equality, Gill Action and the Colorado LGBT Center.

Look at our progress in the percentage of the U.S. population covered by a law that protects people from discrimination on the basis of sexual orientation — 0 percent in 1970, 4 percent in 1980, 12 percent in 1990, 28 percent in 2000 and today 52 percent — over half the U.S. population now has these protections.

During this last year, two states — New Jersey and Vermont — went back and added gender identity protections to their gay rights laws — thank you Garden State Equality, GRAANJ, the RU12? Community Center, TransAction, Outright Vermont and the Vermont Freedom to Marry Coalition.

So, here's our progress on winning protections from discrimination on the basis of gender identity and expression. We've gone from 0 percent in 1970 to 2 percent in 1980 to 7 percent in 2000 to today where nearly 40 percent of the nation's population lives in a place that protects transgender people from discrimination. And I take considerable pride that the spike in these protections since 2000 coincides with the creation of the Task Force's Transgender Civil Rights Project.

Now let's look at gains in the area of family recognition: Six localities established domestic partner registries, including Salt Lake City just this week. Three states enacted laws granting same-sex couples all or nearly all the rights and responsibilities that come with marriage — Oregon, New Jersey and New Hampshire. Thank you Basic Rights Oregon, Garden State Equality and New Hampshire Freedom to Marry.

And, as you all know, on June 14 the Massachusetts Legislature defeated a proposed state constitutional amendment to end marriage equality by a 151-to-45 vote, killing the damn thing once and for all. Thank you MassEquality and Governor Patrick for delivering this extraordinary victory. And my own personal thanks to the Task Force organizers who once again flipped legislators to vote our way in the final weeks.

As a result of these gains, we've gone from nowhere from 1970 to 2000, when we had 2 percent to today, where one in five Americans are living in a state that offers broad protections to our families.

Now, to all those extremists who said the sky would fall and the crops would wither if our couples won marriage equality, I feel compelled to note that since the 2003 *Goodridge* decision in Massachusetts, the Red Sox won the World Series in 2006 for the first time since 1918, and again in 2007.

Since *Goodridge*, the Patriots have won the Super Bowl twice and had an 18-0 regular season this year, and just one year after New Jersey enacted civil unions and one week after a New York appellate court ruled that marriages from other states and Canada had to be recognized in the Empire State, the New York Giants who play in New Jersey — won the Super Bowl last weekend. Coincidence?

Pat Robertson is the expert on the link between LGBT rights advances and disasters — so I guess we should check in with him.

I have now exhausted everything I know about sports. Who made all of this amazing progress happen?

You did. It was the people in this room and the people within one degree of separation from you. None of this happened because of glitz and glamour or when anyone was dressed in a tuxedo. Instead, it was your stories, your persistence, your leadership, your sacrifice, your commitment. It was leaders like Jon Stryker and Tim Gill who helped fund campaigns to take out bigots and elect pro-LGBT candidates. And all of this was done over the well-funded, homophobic attack machine of America's anti-gay industry.

And there was so much more than legislative wins. Like when dozens of young members of Soulforce went with quiet but steely resolve to confront the most LGBT-hating campuses in the country.

Like the fact that the Institute for Welcoming Resources, which became an official program of the Task Force shortly after we met in Kansas City, has helped lead the way in doubling the number of congregations voting to become welcoming and affirming of LGBT people.

Like when Ft. Lauderdale Mayor Jim Naugle went on repeated homophobic rants, people came together to organize, rally and they forced both the Ft. Lauderdale and Broward County commissions to officially repudiate the mayor.

Like when the forces of intolerance tried again to get an anti-family constitutional amendment through the Minnesota Legislature, our community rallied and killed that before it even got off the ground. Who led that charge? The woman who's led OutFront Minnesota for 21 years — and let me say there are only 3 people in the movement who've led an organization that long — and that person is Ann DeGroot.

Ann's last official day with OutFront is today. Ann, you've long been the leading advocate for LGBT voices from the Midwest; you helped found and lead the National Association of LGBT Community Centers; you've mentored countless leaders locally and nationally; and you've helped strengthen our movement in innumerable ways. You are a hero and there is no way we can adequately thank you for giving your life in service of our equality. Ann, you embody not only the incredible and tenacious leadership of our people, but the rightness of our cause. What more can we say, but thank you.

Unfortunately, you and I know that, contrary to popular wisdom or wishful thinking, in spite of all we've accomplished and our great leaders, we have only taken a few steps down the road toward complete equality. We have laid only a few stones of the foundation of our equality, not the walls, not the doors, not the windows, and certainly not the ceiling.

So as we take rightful pride in all we've accomplished since we met in Kansas City and all we've accomplished in the nearly 40 years since Stonewall, we cannot forget that today, right now, discrimination against lesbian, gay and bi people remains perfectly legal in 30 states and in 37 if you are transgender or transgress gender roles.

Today, right now, not a single federal law acknowledges our existence, except the one that tries to count hate crimes perpetrated against us.

Today, right now, in spite of all of the supposed growing "tolerance" of us — up to 40 percent — yes 40 percent of all homeless youth in this country are LGBT. Why this grossly disproportionate figure? Because LGBT kids continue to be thrown out of their homes simply because of who they are.

Today, right now, more than 45 percent of African-American gay and bi men in key urban areas are infected with HIV, with a 33 percent increase in new diagnoses among our brothers under age 30 over the past six years. Today, right now, African Americans are nearly 10 times more likely than white people to be diagnosed with AIDS.

The response — internal to our community and external — is appallingly racist. Internally, when these numbers come out, the "established" gay community seems to have a collective shrug as if this isn't our problem. Folks, with 70 percent of the people in this country living with HIV being gay or bi, we cannot deny that HIV is a gay disease. We have to own that and face up to that.

Even more disgusting is the response of our government. Of the 129 interventions developed and approved by the CDC to address HIV in the African-American community, only one has been designed for gay black men. Twenty-six years into the epidemic and only one out of 129 addresses the group of people most affected by HIV. And, on top of that, funding for meaningful and honest prevention programs has been systematically excised from the federal budget. If these things don't prove that our government considers the lives of gay black men utterly expendable, I don't know what does.

Today, right now, there are members of our community standing outside the doors of an emergency room, barred from seeing their dying partners of 10, 20, or even 50 years because they're not "family."

Today, right now, right here in the city of Detroit, the body of a young trans woman, labeled by the police as a "known prostitute", lies in the Wayne County morgue — shot in the back of the head, her body having been thrown into an alley.

I have been working in this movement for a long time and with victims of violence for longer than that and how many times have we faced this situation — a trans person working the street, brutally murdered. Why are so many trans people forced to stand in the cold, putting their bodies at risk? Why? Because so many of them simply cannot get jobs because of blatant and pervasive discrimination. But they don't deserve to be in ENDA?

Today, right now, what is known as the “gay” exception — I’m going to say the LGBT exception — remains a staple of public life, rarely acknowledged, let alone challenged. The LGBT exception means that it is still OK to do things to or say things about LGBT people that would be utterly unacceptable if said about virtually any other minority.

This year, yet again, the public will be invited to vote on whether we are entitled to the same rights and freedoms the majority sees as fundamental and takes for granted, or if we should be forever denied them.

Straight people can’t imagine anyone voting on whether they should have the freedom to marry. But that’s exactly what’s happening to us — again this year — certainly in Florida and most likely in California. When people in Arkansas go to the polls in November, their ballot will probably ask if queer people are worthy enough to adopt children like everyone else. But no outrage from political leaders or the public — another example of the LGBT exception.

Here’s another one: the death of Jerry Falwell. While absolutely acknowledging the sorrow I know his family and friends felt when he died, how is it possible that he was lauded as an American hero and the egregious things he said about us, the untold suffering he caused to people dying of AIDS were just brushed over? The LGBT exception.

We now have a candidate for the presidency who says that if we win the freedom to marry, the next thing you’ll know is that people will be marrying their dogs. Do candidates from either political party rise up and say, “How dare you!” “Outrageous!” No. The LGBT exception.

Until yesterday, there was another candidate for president who once said he’d do more for gay rights than Ted Kennedy. But he then made protecting the “sanctity of marriage” and boasting about his attacks on marriage equality in Massachusetts central themes of his campaign, while claiming he’s not anti-gay.

And who can forget Larry Craig? Seriously, I don’t know if Larry Craig is gay, bi, confused or whatever — but I do know I don’t want to claim him. And yes, it’s delicious that he got caught in his own hypocrisy.

But, how does one explain the reality that when Craig came back to the Senate, he was shunned, but when Sen. David Vitter returned to the senate for the first time after admitting he’d used the services of the “DC Madam” he was greeted with a standing ovation by his GOP colleagues. The LGBT exception.

But while I’m on the subject of Larry Craig, what’s up with taxpayer dollars and scarce law enforcement resources being deployed in entrapment operations using undercover police officers to sit in toilet stalls tapping their feet hour after hour?

I’d now like to address one of the defining moments in our movement’s history, the struggle this last fall to pass an inclusive ENDA. I’d actually like to just look ahead and not back, but given the

significance of this struggle to our community's future, and all the lies, misinformation and distortions put out there, I do need to say a couple of things.

First is this notion of "incrementalism" — meaning that we need to accept the fact that we can only win our equality in little pieces and we should be grateful for that.

I'd like for us all to recall that when the first gay rights bill was introduced in Congress nearly 34 years ago, it was a comprehensive civil rights bill. I'm very proud that the Task Force was a leader on that historic day in 1974 when the bill was introduced. Our founding executive director Bruce Voeller was sitting just to the right of Representatives Ed Koch and Bella Abzug.

That 1974 bill sought to cover discrimination in public accommodations, credit, education, housing and employment. Over the years, it was strengthened and made more explicit. In 1994, when Democrats controlled Congress and the White House, a decision was made to whittle that bill down to cover employment only, the thinking being that an employment-only bill — an ENDA — would have the best chance of passing the Senate.

In 1996, a deal was cut that — in exchange for an up or down vote on ENDA in the Senate — there would also be a vote on a version of the Defense of Marriage Act — DOMA — that Bill Clinton would have no excuse to veto. Well, we know how that deal turned out: ENDA was defeated; DOMA is the law of the land. Some bargain.

Fast forward to 2007 — at last — after years of hard work, we had an ENDA that covered not only discrimination based on sexual orientation but also gender identity.

But then, on Sept. 18 we were summarily informed by House leadership that we didn't have the votes to pass an inclusive ENDA and therefore gender identity protections would be stripped out and as another sop to the right, ENDA would be amended to give all religious organizations unfettered ability to fire someone because they were gay, lesbian or bisexual, no matter what job they held. Think the janitor in a Catholic hospital or the cook in a Salvation Army kitchen.

So — just to be clear — over the last 34 years we've gone from a comprehensive bill, to an employment only bill, to a broken bill that doesn't include gender identity and does allow blatant discrimination by religious organizations.

In what world can you call going from this to this incremental progress? We — who have been so overwhelmingly generous to the Democratic Party with our votes and our dollars — should be grateful for this? Bow down and say thank you kind sir? No.

The second issue I need to address is whether we had the votes to pass an inclusive ENDA in the House. Well, let's be clear here: the only person who'd actually done a solid head count was Rep. Tammy Baldwin and she said we had them. She did the head count for the two votes on the inclusive hate crimes bill and she was right on the money.

People now try to say that "the votes just weren't there." That's just not true. Rather, the concerns brought up at the last minute were about a hypothetical Republican procedural maneuver that never materialized. We heard the exact same concerns about the exact same hypothetical maneuver being tried when they moved the hate crimes bill, but it never materialized then either. And we passed transgender inclusive hate crimes legislation in both chambers of Congress. But when it came to ENDA — our "friends" decided to do our enemies' dirty work for them, and take out gender identity protections before that was even proposed by a single member of Congress. Something wrong with that? You bet!

With a murdered trans woman lying in Wayne County morgue, I don't think I need to tell anyone here why gender identity protections are so vital. But there's also a principle here: We are one community, one people, period.

But more than that, the notion that there is some sort of bright line between gay people and trans people is not only patently offensive, it is crazy. Look at the people in this room, for goodness sake.

And that's why the notion that a sexual orientation only ENDA will take care of all gay, lesbian or bi people doesn't wash.

Moving forward, we need to focus on three great things that came out of the ENDA struggle — and then use them to build our progressive future.

No. 1: The campaign to pass an inclusive ENDA — United ENDA — underscored just how far our movement has come in its understanding and embrace of gender identity issues and transgender people. While I'm proud of the Task Force's role in helping to lead United ENDA, it didn't take any cajoling or "education" to get people on board. Across the spectrum of our community — our large national organizations, our statewide LGBT political advocacy groups, PFLAG chapters, our community centers, our college groups, you name it — immediately got that breaking ENDA down was wrong. Period. End of debate.

Fine, we can acknowledge that this value is not yet shared or understood by many gay and lesbian people. But, the simple reality is that the backbone of our movement — the folks who know politics and are actually getting things done — get it and feel it, and we should all celebrate this reality.

No. 2: Through the United ENDA campaign our grassroots movement flexed its muscle and the Hill took note. You brought your political savvy to bear on Washington, D.C., as never before and House leadership and members were startled. We were told repeatedly by House members that they had never, ever heard from our community in such numbers and with such passion. And this wasn't for one day or for one week, but it kept up for weeks. We were relentless and as a result, House leadership had to defer taking action on the broken ENDA not once, not twice, not three times, but on four separate occasions.

Just a few years ago, this could never have occurred. But — thanks to the growing investments in our statewide advocacy organizations — so ably led by the Equality Federation, in our community centers, and in so many grassroots organizations we now have an extraordinary and powerful network that can be mobilized quickly. Going forward, we must harness this force again and again.

And No. 3: Out of the pain and turmoil of the ENDA fight, the powers that be on the Hill now understand that no one organization and no one person speaks for our community. In other words, the power dynamics of our movement have shifted profoundly, and that's not just a good thing. It's a great thing and we have to keep on building on this momentum.

So, where now with ENDA? While it's expecting a lot from many who feel utterly betrayed, we need to accept the fact that politics are inherently ugly and that's why passing legislation is so aptly compared to making sausage. We need to press ahead without bitterness or rancor. The fact is, if an inclusive ENDA is to pass any time soon, we have to work with Speaker Pelosi, Rep. Frank and the Human Rights Campaign. We're simply not going to get what we want if we remain divided or focus on lateral sniping.

Rather, we — together — need to devote tremendous energy over the next year to getting us back to where we were in September and then some, so that come next January, the only ENDA on the table is the one that protects all of us. This will require a lot of work in dozens of congressional districts over the next nine months. You'll be hearing a lot more about that from United ENDA — and when you're called upon to do something, do it, please. An inclusive ENDA is within our reach — and we cannot let it slip out of our hands.

So, with and beyond ENDA, where do we go from here, through this election cycle and beyond?

I believe, I am convinced, and I feel in my heart that we are — right now — and in the words of activist Beth Zemsky — at a critical movement moment — a point in time when you can feel the pendulum — after years of swinging against us and for the forces of intolerance — starting to swing in the direction of justice and equality. This is a moment when we can not only see the possibility of meaningful change, it feels like we can actually make that happen. You could feel it in the United ENDA campaign, and I can feel it in this conference. And given the unprecedented numbers of people participating in the primary elections, it's clear that we are not alone.

The challenge for us is what are we going to do with this moment. Are we going to seize it or are we going to let it fade away? Is our movement going to be once again seduced by lofty words, invitations to fancy cocktail parties and government appointments, or are we going to insist on tangible deliverables? Are we going to be satisfied with a few crumbs, or demand more.

And equally important, if we do seize this moment, who will benefit from whatever advances come — the privileged few, as usual, or will we be advancing our vision of a transformed society for all?

Let me start by saying, yes, of course we must seize this movement moment. But let us not be seduced by grand promises candidates make to us only when they are speaking in front of us, or fall for the notion that the election of a more progressive Congress or president means our worries are over. We've done that before and suffered greatly.

Let's not go hat in hand, like supplicants on bended knee and be ever so grateful if we finally get one federal law to protect us. Let me use ENDA as an example. As important as it is, it is not the be all, end all, Holy Grail of our movement. As I said earlier, it is only a piece of what we started out with more than three decades ago.

I am deeply concerned that if we don't really work hard now and assuming we have a better Congress and administration in 2009 — that the broken ENDA will pass in the spring and there will be a fancy White House signing ceremony in June — in connection with Pride Month, of course — and powers that be will say, "We've taken care of those people for the next four years."

And, I regret to say I can see people in our own community saying OK — provided a few of them have gotten good jobs with nice offices in the new administration. We've seen that before, too.

We have to say no. We have to say we need and deserve justice, and simple justice demands so much, so much more. We deserve and demand a complete repeal of DOMA and "Don't Ask Don't Tell." We deserve and demand federal recognition of our families.

We deserve and demand an end to any funding for abstinence only programs. We deserve and demand a renewed focus on HIV education and prevention programs, particularly for African-American gay and bi men. We deserve and demand a repeal of all the laws and policies that have been put in place in recent years to restrict a woman's right to choose.

We deserve and demand that before any religious institution receives government funding, it must agree not to discriminate against us or anyone else, regardless of anyone's religious beliefs. We deserve and demand that the ideological bigots who have infested the federal government over the last two terms and who have relentlessly killed any grant application or any funding stream targeting our community be immediately thrown out.

In reality, none of these things, is a heavy political lift and Congress routinely delivers far more for smaller constituencies and on issues with significantly less public support than ours. An administration with any commitment to us can get all of these things done quickly — and for those who say "not possible" or "wishful thinking" I say get off your literal and figurative knees.

But, as we seize this movement moment and push forward on our agenda, we can never lose sight of the fact that the things I just mentioned are the floor of our equality — not the ceiling.

If, while we are working on our community's priorities, we don't simultaneously work for a better and more just society — arm in arm with other communities — then will have squandered this moment and betrayed the vision of our movement's founders.

Winning employment nondiscrimination laws won't mean much to people who — because of their race or class or gender — still can't get a decent job or could never risk filing a discrimination complaint for fear of losing the job they have.

What will dismantling "Don't Ask, Don't Tell" mean if we still have a Congress that allows presidents to waste the lives and limbs of our troops and the people of other nations through immoral and bankrupting wars for empire and economic interests?

How can we expect others to come to our aid when the right wing again scapegoats us and our families to divide America if we won't take a stand as they now scapegoat immigrants, blaming them for all our nation's woes?

How can we afford not to focus on Social Security or universal health care or benefits for older people with millions of us already old or nearing retirement and with the reality that seven out of ten of us are going to grow old alone?

Of course, winning the freedom to marry will be a monumental moral triumph and a huge, huge benefit to those of us who choose to marry. But, given that married couples will continue to be a declining minority of American families — gay or straight — shouldn't we also be focusing on reforming the laws and systems that tie so many vital rights, benefits and protections to one's marital status?

My point is that coming out of the energy and power we felt last fall and in seizing this movement moment, we have not only the opportunity but the obligation to think and act beyond the narrow confines of our own LGBT-specific interests and be part and parcel of a transformed America.

I know — now more than ever — winning complete equality isn't only possible, it's inevitable and you're going to make that happen.