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Trans Victory in Delay of U.S. Employee Non-Discrimination Bill

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In an apparent victory for LGBT activists and their supporters, House Speaker Nancy Pelosi [D-Calif.] postponed final debate on an amended Employment Non-Discrimination Act. The bill has come in for criticism from gay organizations because it does not include transgender-specific protections.

The House Committee on Education and Labor was scheduled to approve the latest version of the bill on Tuesday before sending it to lawmakers for a final vote. Pelosi said in a statement that the hearing will now take place later this month.

"This schedule will allow proponents of the legislation to continue their discussions with members in the interest of passing the broadest possible bill," she said.

Pelosi's announcement came only hours after the National Gay & Lesbian Task Force, the National Center for Transgender Equality, the National Black Justice Coalition and 87 other national and statewide LGBT organizations sent a letter to lawmakers urging them to postpone debate on the amended ENDA. The Human Rights Campaign and the NGLTF also signed onto a similar request spearheaded by the Leadership Conference on Civil Rights.

NGLTF executive director Matt Foreman applauded Pelosi's postponement. He expressed hope an inclusive bill would pass the House during an Oct. 1 telephone press conference.

"We do believe congressional leaders want to do the right thing," Foreman said.

Mara Keisling, executive director of the National Center for Transgender Equality, agreed. She added her organization received an outpouring of support from across the country after Congressman Barney Frank [D-Mass.] announced last Thursday he would separate sexual orientation and gender identity and expression into two bills. Keisling remains confident House members will support ENDA with trans-specific protections.

"We worked like hell to get it passed," she said. "We think it can still be done."

The Senate voted 60-39 in favor of federal hate crimes legislation last Wednesday as part of the Defense Authorization Act while the House passed it in May.

Frank co-sponsored ENDA in the House alongside Congresswoman Tammy Baldwin [D-Wisc.]. He introduced separate versions of the bill after Pelosi and other Democratic House leaders became concerned it would not withstand a final vote with trans-inclusive language. Baldwin refused to endorse the revised ENDA.

NBJC executive director H. Alexander Robinson maintained his organization would only support

an inclusive bill.

"It is unconscionable for us to think we would support cutting transgender protections out of ENDA," he said.

PFLAG executive director Jody M. Huckaby said more than 12,000 members of his organizations wrote postcards to Congress over the last five days in an attempt to lobby lawmakers to oppose the amended bill. He added he will remain opposed to any attempt to remove gender identity and expression from the bill.

"It is not a strategy to leave out some of our loved ones," Huckaby said. "A strategy would keep our families together... and keep them protected."

The HRC, which is the country's largest LGBT advocacy organization, has remained relatively quiet on the current ENDA controversy outside of a handful of critical statements published in the Washington Blade late last week. Transgender activists had previously criticized the organization for endorsing a version of ENDA without gender identity and expression. The HRC changed course in 2004 and announced it would only support transgender-inclusive legislation.

It's board affirmed this policy late yesterday in a vote to support ENDA in its original form.[Pelosi is scheduled to deliver the keynote address at its annual Washington gala on Oct. 6.]. HRC president Joe Solmonese said in a prepared statement his organization would not support any bill which fails to include gender identity and expression.

"We look forward to working with them [Congressman Frank and the Democratic House leadership] to accomplish the goal all of us share - ending workplace discrimination against the entire GLBT community," he said.

Foreman added he and other activists will continue their lobbying efforts to ensure lawmakers pass an inclusive ENDA.

"We must signal loud and clear to every member of Congress: We are one community, and we demand protections for all of us, and nothing else will suffice," Foreman stated.