

Alliance of LGBT Organizations Demands Transgender Inclusive ENDA

By Joel Wendland
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Some 300 national and local LGBT civil rights organizations have formed an alliance called United ENDA to oppose a stripped down version of the Employment Non-discrimination Act (ENDA) that excludes protections for transgender individuals from job discrimination.

The bill was originally introduced by Rep. Barney Frank (D-MA) in the spring and included provisions to protect transgender individuals from discrimination. Under pressure from Democratic leaders that an inclusive ENDA might fail to pass in the Democratic-controlled House, Frank withdrew protections for transgender people.

The action angered many LGBT civil rights organizations and allies who had lobbied hard over the past decade to include transgender individuals in the new legislation.

A statement authored by some of the leading organizations in United ENDA and published late last month said: "Our organizations oppose the removal of protections for transgender people from ENDA. We would also oppose any employment nondiscrimination bill that did not protect transgender people."

Frank saw the maneuver to exclude protections for transgender people as the best tactics to get a version of ENDA passed in the House. "If you insist that you can't protect anybody until you protect everybody, you'll protect nobody," he told Logo's Jason Bellini in an interview this past week. (Logo is an MTV Networks television program in California and is nationally broadcast through streaming video online.)

Frank came under fire from the ENDA United alliance and defended his action by suggesting the 300 national, state, and local organizations in the alliance aren't very representative of the LGBT community.

He added that he has long supported civil rights legislation even when it did not include any protections for LGBT people.

Some in the LGBT community such as writer Doug Ireland, see the issue as one of principle. The people who launched the gay liberation movement, Ireland wrote in a recent piece for Gay City News, were the "transgendered and gender rebels" at Stonewall in New York City almost 40 years ago who rejected the "tyrannies of patriarchy" and expanded the struggle against homophobia and misogyny.

Accepting the exclusion of transgender people, Ireland emphatically argued, would have been a signal that the struggle for gay liberation and equality would have suffered a major setback.

But the issue is also one of political strategy argued Matt Foreman, executive director of the National Gay and Lesbian Task Force, in an interview on Logo's Here and Now with Jason Bellini last Friday.

According to Foreman, Frank and other Democratic supporters of ENDA failed to alert his organization and others about the elimination of transgender protections and problems with getting the needed votes until the last three weeks.

In Foreman's view, when Frank knew the bill was in trouble, he should have gone to the civil rights organizations who had backed him in authoring and introducing the bill and said it was in trouble and that more lobbying and campaigning was needed to make sure it could pass. He did not do that, Foreman said.

"We were simply informed this is the way we're going to do this. We don't have the votes and that's that," Foreman said.

Foreman saw this controversy as a "wrenching, divisive debate" and "painful" and expressed the hope that Frank would either pull the bill or reintroduce inclusive language before the bill gets to the floor.

"There's no point in rushing this after 34 years of fighting for this bill. Suddenly we're going to rush it? We're going to throw a part of our community off the bus? Absolutely not," said Foreman.

Foreman expressed tremendous respect for Frank's role as the first out leader of the Democratic Party in the House of Representatives and vowed to remain allies on civil rights issues during and after this debate over passage of a transgender inclusive ENDA subsidies.

In response to massive pressure from civil rights advocates, Rep. Tammy Baldwin (D-OH) has authored an amendment that is expected to be introduced when the non-inclusive version of the bill is brought to the floor for a vote.

While United ENDA is pushing to build support for the Baldwin amendment, Foreman argued that separating out transgender people from the original bill is a signal to members of the House who may be wavering on the issue that the leadership of the Democratic Party isn't fully behind full protections for all people.