

TRANSADVOCATE

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# SONDA Revisted

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## Abstract

*On December 17th, 2002, the Sexual Orientation Non-Discrimination Act (SONDA) passed the New York Senate by a 34-26 vote and was signed into law. The bill that was signed into law did not include transgender people. The Executive Director of the Empire State Pride Agenda, Matt Foreman, stated, “We would be playing with fire. I [...]*

## Article

On December 17th, 2002, the Sexual Orientation Non-Discrimination Act (SONDA) passed the New York Senate by a 34-26 vote and was signed into law. The bill that was signed into law did not include transgender people.

The Executive Director of the Empire State Pride Agenda, Matt Foreman, stated, “We would be playing with fire. I don’t think that there is any disagreement that if SONDA went down this year, it would be anything less than a terrible defeat for the LGBT community. We would love to have transgender inclusion, but not at the expense of SONDA.”

Now in 2004, the stage is being set for a replay, but this time on a federal level. Recently, when confronted with the lack of trans inclusion in federal legislation such as the The Local Law Enforcement Enhancement Act (LLEEA) and Employment Non-Discrimination Act (ENDA), the HRC responded by saying:

“In May 2003, HRC sent a letter to all lead co-sponsors of the Employment Non-Discrimination Act, asking that language protecting the transgender community from job discrimination be added to the legislation before its reintroduction in the 108th Congress. HRC lobbyists personally met with lead co-sponsors and their staff to make the same request. Nevertheless, the House and Senate lead co-sponsors of ENDA decided to reintroduce the legislation without adding the requested language. A decision was made by congressional co-sponsors to reintroduce the hate crimes measure without clarifying language on gender identity and expression, despite lobbying members to include more explicit language within the measure.

We understand the issue of ENDA as currently written is a difficult one, and we’re not satisfied with the current language either. It is critical the GLBT community knows that we strongly support a transgender-inclusive ENDA, which is reflected in our lobbying, our policy development, our education products and all of our public outreach efforts.

HRC meets with leadership of other advocacy groups on a regular and ongoing basis to discuss federal legislation and other issues and has never pressured our allies to not support inclusive language in our

legislation. HRC will make another effort to get the language modified before the 109th begins in January 2005.”

The HRC blames the co-sponsors of the legislation for the lack of inclusion, but what they don’t say is that they support the non-inclusive version of the bill as well. This rhetoric is strikingly similar to an announcement in the Texas Triangle that reported “HRC has pledged to work with a large group of GLBT and Trans rights organizations to come up with a new bill, a ‘fresh unified bill’ as they are calling it (FUB), that will be introduced in the future.” That was reported almost a year ago in June 2003. One year later, “in the future” is still an uncertainty.

The ugly truth is that they have chosen to endorse a non-inclusive ENDA and LLEEA. This power play looks strikingly similar to ESPA’s moves made in 2002.

Recently, members from the National Transgender Advocacy Coalition, GenderPac, and the National Center for Transgender Equality lobbied congress. One of those that participated in this lobby effort was long time activist Gwen Smith. She wrote about that day in her column, Transmissions:

“A day before I stood in front of HRC’s swank offices, a sibling activist visited a congress person’s office. They were supportive of transgender inclusion, but wondered out loud why HRC was not “on board” with this. Over the course of the next day, more heard similar questions from Congressional aides.

It isn’t Congress that is so much resistant to trans-inclusive bills -- it is those we entrust to push for our rights in Washington, D.C. The tail has been wagging the dog all along, as HRC keeps transgender-inclusive language out of the offices of our legislators, rather than assisting in the education of these same individuals on the need for such language.

In the week that followed this protest, even more damning reports began to surface, including allegations that HRC had attempted to influence a trans-supportive organization to change their stance towards trans inclusion.”

A press release from NTAC further bolsters this claim:

“On the negative side, the perennial gatekeepers to transgender rights still need more ‘time’ and ‘education.’ As one Senate staffer said, it would be ‘immensely helpful’ for us to get the Human Rights Campaign (HRC) on board, and a House staffer bolstered it, saying their office would ‘be there in a minute - but it’s not our bill. You need Barney [Frank D-MA], you need HRC.’

‘All of the hard-sell the transgender community was given about Barney Frank and HRC championing our cause from their own press and from those they enlisted to pass along have been nothing more than illusion,’ said a markedly disappointed Vanessa Edwards Foster.”

HRC’s Member Services Coordinator Laura Dalrymple responded “It’s unfortunate that the quotes provided below aren’t attributed to any particular individual, as we all know that credibility is diminished when sources fail to reveal their identity. “Since HRC is not aware of the specific Senate and House “staffers” that made these comments, we are unable to speak with them directly to clear up their misconceptions.”

If they are claiming that is the standard of credibility, the HRC should move this by taking heed of the

same advice. Make public the written trans inclusive LLEEA and ENDA language, who lobbied the members of Congress for it, the date they were approached, and a list of the congressmen that declined to support a trans inclusive version of the bill.

Transadvocate found no reference to gender inclusive language or attempts to lobby congress for such on HRC's website.

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### **Suggested citation**

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