



Democratic House a gay boon?

Activists make post-election plans; ENDA, hate crimes are top priorities

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Gay political activists and Democratic leaders are already planning post-election strategies and priorities for an expectedly bluer and more progressive House of Representatives.

The preliminary plans, which could change wildly based on the outcome of next month's elections, put a trans-inclusive Employment Non-Discrimination Act atop the wish list of gay rights supporters.

"I think that everyone believes that an inclusive ENDA is our top priority," said Matt Foreman, executive director of the National Gay & Lesbian Task Force.

A federal hate crimes bill that covers crimes motivated by hatred of gays and transgender people is also a priority, along with a repeal of "Don't Ask, Don't Tell," the military's ban on openly gay service members.

"Given the climate involving the need for people to serve in the Army, and the literal scandal over expelling gay translators," Foreman said, "I think that also has a lot of force behind it."

Some gay rights activists, like Truth Wins Out founder Wayne Besen, praised the early focus on those issues.

"We're accused of having a gay agenda," he said, "but this is the time when we really need one."

But others, like Democratic National Committee GLBT Caucus Chair Rick Stafford, said the discussions are only preliminary. Stafford cautioned gay voters against becoming overconfident.

"There's been some conversations," he said, "but we don't want to count our chickens before they're hatched."

Allison Herwitz, legislative director for the Human Rights Campaign, said the organization also is focusing on the elections.

"We're not interested in speculating on how things would change under a new leadership team," she said, "because we have to help the new leadership team win."

With the election little more than two weeks away, though, Republican campaign officials are reportedly bracing for a loss of seven to 30 House seats.

The Washington Post reported last week that a small but significant number of conservatives are frustrated with Republican governance, and independent swing voters are turning against GOP candidates.

Democrats need to pick up 15 seats in the election to regain control of the House.

Hastings Wyman, a political analyst and editor of the Southern Political Report, said Democrats are all but guaranteed to win the House.

"I think they'll win, and I don't think it will be a narrow win," he said. "I think they'll get 20 or more seats."

A return to civil discourse?

John Marble, spokesperson for the National Stonewall Democrats, said a Democratic House is key to advancing gay priorities.

"Traditionally, the House has been more difficult to pass pro-LGBT legislation in because of its structure," he said. "If we're able to pass something in the House, we're much more likely to be able to pass it in the Senate, regardless of which party is in control."

Marble said Democratic operatives are pushing for a Senate win, but a loss wouldn't doom gay bills.

"If the Republicans are in control, it's going to take much more work," he said, "but we're still going to have a chance of passing any pro-LGBT legislation that we pass in the House."

Beyond the legislative potential, Marble noted that House control is important for another reason.

"A key thing is if the Democrats regain a majority in one or both chambers, the Republicans will be stripped of the pulpit they use to spew their anti-gay rhetoric," he said. "And I think we'll see a return to more civil discourse on LGBT issues."

Gay U.S. Rep. Barney Frank (D-Mass.) agreed. He said a Democratic House would snub "anti-gay initiatives" like the Marriage Protection Amendment, and give lawmakers new ability to concentrate on passing ENDA and overturning "Don't Ask, Don't Tell."

"Those are probably the two that we would be thinking about," he said. "There would be a very good chance of movement there."

If the Democrats retake the House, Frank could emerge as chair of the powerful and prestigious Financial Services Committee, which has jurisdiction over leading financial institutions, including banks. Frank is currently the ranking Democrat on the committee.

A spokesperson for House Minority Leader Nancy Pelosi told the Blade that the expanded hate crimes law would also do well in a Democratic-controlled House.

"There is strong bipartisan support for all of these issues," said Drew Hammill, Pelosi's deputy press secretary.

He noted Pelosi's "commitment to non-discrimination and other protections for the lesbian, gay, bisexual and transgender community will continue to guide her in her leadership of House Democrats."

The Employment Non-Discrimination Act, which was first introduced in 1997, is languishing after referral to several committees and subcommittees. The measure would bar employment discrimination based on sexual orientation. The hate crimes bill was referred to a judiciary subcommittee in July 2005, and the Military Readiness Enhancement Act, which would overturn "Don't Ask, Don't Tell," was referred to a military subcommittee in March 2005.

Some conservatives noted that gay initiatives would not automatically fair better in a Democratic House.

Patrick Sammon, executive vice president of the Log Cabin Republicans, said if voters replace certain Republican lawmakers with a Democrat, there would be no political gain.

“If you replace a pro-gay Republican with a pro-gay Democrat,” he said, “that won’t change the arithmetic at all.”

Log Cabin has endorsed 26 House and Senate candidates, including equal marriage rights proponent Sen. Lincoln Chafee (R-R.I.).

“Two people who love each other should be able to marry no matter what their sexual orientation,” Chafee said in a statement to the Blade. “I oppose efforts at the federal or state level to prohibit same-sex marriage.”

Marble and other activists, however, said pro-gay voters should vote Democratic on Nov. 7.

“The bottom line is electing a Republican majority kills the progression of inclusive legislation,” he said. “The goal of maintaining a Republican majority conflicts with the interest of gay and lesbian families.”

But Sammon said Democrats are wrongly leading gays to expect too much from one election.

“It’s a mistake to think that all our goals will suddenly be accomplished if one election turns out a certain way,” he said. “The work for equality is a long struggle.”

No immediate results

Experts agreed a Democratic win next month would not produce immediate results.

“If we do take back both houses, or even one house, our community has to be a little patient,” Stafford said. “I don’t believe that we’re going to see a groundswell of LGBT legislation passing in one month or two months.”

Politicos said other key Democratic constituencies — including blacks, Hispanics and American Indians — would emerge with legislative priorities of their own.

“The reality is that there are many, many, many key constituencies of the Democratic Party that have also been in the wilderness for the last 10 years,” Foreman said, “and they, too, are going to be lining up and asking for movement on their issues.”

To rise above the clamor, Foreman said gay activists are preparing to articulate “why our issues are so important, and why we need prompt action.”

Foreman said gay activists know the best plan will be a united plan.

“We’re having meetings immediately after the elections involving the leaders of our largest organizations,” he said. “There is a commitment on part of all the organizations to come together and advance a common front.”

Foreman said employment protections and the hate crimes bill are among the top priorities. Other issues, like benefits for partners of federal employees, have yet to be ranked.

“Everything is going to be on the table,” he said. “We’re really going to have to figure out what’s the best way to get the most we can as quickly as we can, recognizing fundamentally — and I think sometimes people don’t appreciate this fully — that we as advocates don’t introduce or vote on legislation.”

Experts said the unified approach will help shape House priorities, but that’s only part of the battle.

Stafford said any bill could falter in a Republican-controlled Senate, or be vetoed by President George W. Bush.

“We all have to remember that we can pass it, but we have a major obstacle in that White House,” he said. “I do not believe he will be friendly to us.”

Wyman said another hiccup could occur in case of a tie vote in the Senate. Vice President Dick Cheney, who has a lesbian daughter, would cast the final vote.

“I don’t think he would be too keen on being the deciding vote on a gay issue,” he said. “I don’t know how that would play out.”

To avoid such scenarios, Besen said gays must be patient while Democratic leaders align votes on key issues.

“We need to learn to be patient, but not too patient where we give them a pass,” he said. “We need to look at things in terms of a three- or five-year plan.”

But at the same time, Besen said, Democratic leaders must demonstrate their commitment to gay priorities.

“I think there’s a real danger,” he said. “If we are played and used, there’s going to be a real disillusionment that drives people from politics.”

And with a presidential election coming in 2008, that’s a loss Wyman said the DNC can’t afford.

“The political heft of the gay community has been of great value to the Democrats,” he said, “in terms of money and in votes and in muscle.”