

Congress to hold first-ever hearing on transgender discrimination

by Ethan Jacobs
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The House Committee on Education and Labor is tentatively scheduled to hold a hearing on employment discrimination against transgender people on June 26 -- the first congressional hearing to focus primarily on transgender issues. The committee's subcommittee on Health, Education, Labor and Pensions (HELP) will hear testimony on the issue.

Mara Keisling, executive director of the National Center for Transgender Equality (NCTE), said the historic hearing will give Congress its first serious look at discrimination around gender identity and expression. She credited subcommittee chairman Rep. Robert Andrews (D-New Jersey) and Congressman Barney Frank (D-Massachusetts) with pushing for the hearing.

"I think for years [Congress] thought about gender identity as sexual orientation's little brother, and I think Congressman Andrews and Congressman Frank are right in wanting to focus more on transgender people," said Keisling.

The hearing marks Congress' first major look at LGBT employment discrimination since last November, when the House passed a version of the Employment Non-Discrimination Act (ENDA) that did not include protections based on gender identity. The decision by House leadership to strip gender identity language from the bill prompted a schism within the LGBT advocacy movement, with the Human Rights Campaign (HRC) supporting the sexual-orientation-only bill and nearly every other national LGBT rights organization, including NCTE, actively opposing it.

Alison Herwitz, legislative director for HRC, said the hearing is designed to help educate Congress in the hopes of passing a fully inclusive ENDA bill next year.

"The hearing, while not on any piece of legislation, is part of the education process to move us forward," said Herwitz.

She said the subcommittee has not yet sent out formal invitations for the hearing, but she expects that Massachusetts' Diego Sanchez, a member of HRC's Business Council and director of public relations and external affairs for AIDS Action Committee, will be among those testifying. She said other people on the panel to testify will likely include people who can talk about anti-transgender job discrimination firsthand, legal experts, and representatives from the business community.

Herwitz said a coalition of LGBT and civil rights organizations, including HRC, NCTE, the **National Gay and Lesbian Task Force**, the ACLU and the National Center for Lesbian Rights, have been coordinating strategy for the hearing and have been meeting and talking regularly. She said HRC's differences with those organizations over ENDA have not impeded that collaboration.

"I think we're all professionals and we're all working towards the same goal, and we're working together to educate members of Congress on why we need a fully inclusive bill, and this hearing is part of that process," said Herwitz.

When asked to characterize the relationship between HRC and the other LGBT groups in preparing for the hearing Keisling responded, "I don't think I would characterize it. I don't think it's particularly relevant to the hearing."