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national news

Not our day

The Senate debate brought less vitriol, but the vote paralleled that of the House—DOMA passes and ENDA fails

by Bob Roehr

The gay and lesbian community suffered double defeats in the U.S. Senate on Sept. 10, when the Defense of Marriage Act passed 85-14 and the workplace protections of the Employment Non-Discrimination Act narrowly lost 49-50. On the same day, the formal trial began in Hawaii that seems likely to lead to the legalization of same-sex marriage.

There was little suspense over either Senate vote. It was apparent virtually from the moment of its introduction that DOMA would pass by a large margin. The July vote of 342-67 in the House demonstrated that, and the Senate followed by a similar lopsided margin. Senate debate was more restrained, though the less vitriolic language did nothing to change the discriminatory effect of the bill.

Oregon and Washington senators were split on the votes. Oregon senator Mark Hatfield voted for DOMA and for ENDA. Oregon senator Ron Wyden fulfilled his campaign pledge to lesbians and gay men by voting against DOMA and for ENDA. Washington senator Slade Gorton voted for DOMA and against ENDA. Washington senator Patty Murray surprised gay rights activists by voting for DOMA and for ENDA.

Senate Majority Leader Trent Lott (R-Miss.) said DOMA "is not mean-spirited or exclusionary, it is a pre-emptive measure to make sure that a handful of judges, in a single state, cannot impose a radical social agenda upon the entire nation."

Robert Byrd (W.V.), a Democratic predecessor in that position, urged his colleagues: "Let us defend the oldest institution, the institution of marriage between male and female as set forth in the Holy Bible."

The meager defense of gay men and lesbians was led by Ted Kennedy (D-Mass.) who called DOMA "a wedge between one group of citizens and the rest of the country."

The vote on ENDA was closer than expected. But there was little tension in the air, as all players knew the vote was purely symbolic. The legislation would not be discussed in the House, so it was fated to die with the conclusion of this session of Congress in early October.

David Pryor (D-Ark.) was absent to be with his 33-year-old son who had just undergone extensive surgery for cancer. His office said he would have voted for ENDA. If that had been the case, the 50-50 tie would have allowed Vice President Al Gore to cast the tie-breaking vote and pass the bill.

Many political observers recall votes when

ailing members of Congress have been wheeled into the chamber on a gurney to cast a crucial ballot. Pryor's absence may cause some to question the pledge of George Stephanopoulos, before the Human Rights Campaign's "OutVote '96" in August, that "President Clinton and his entire administration will be fighting for [ENDA], and we will win this time."

Surely the president could have swayed his fellow Arkansan.

Human Rights Campaign's Elizabeth Birch was "appalled" by losing the substantive vote on DOMA and called on President Clinton to veto it. At a news conference following the vote she

ignored a question as to whether the organization would withdraw its endorsement of Clinton if he signs DOMA.

She gushed about losing the symbolic vote on ENDA. "We came within a breath of victory today.... We'll hit the ground running in the 105th Congress."

Melinda Paras, executive director of the National Gay and Lesbian Task Force, called on the president to "remember his campaign promise to gay and lesbian Americans in 1992, when he said that he has a dream for America and

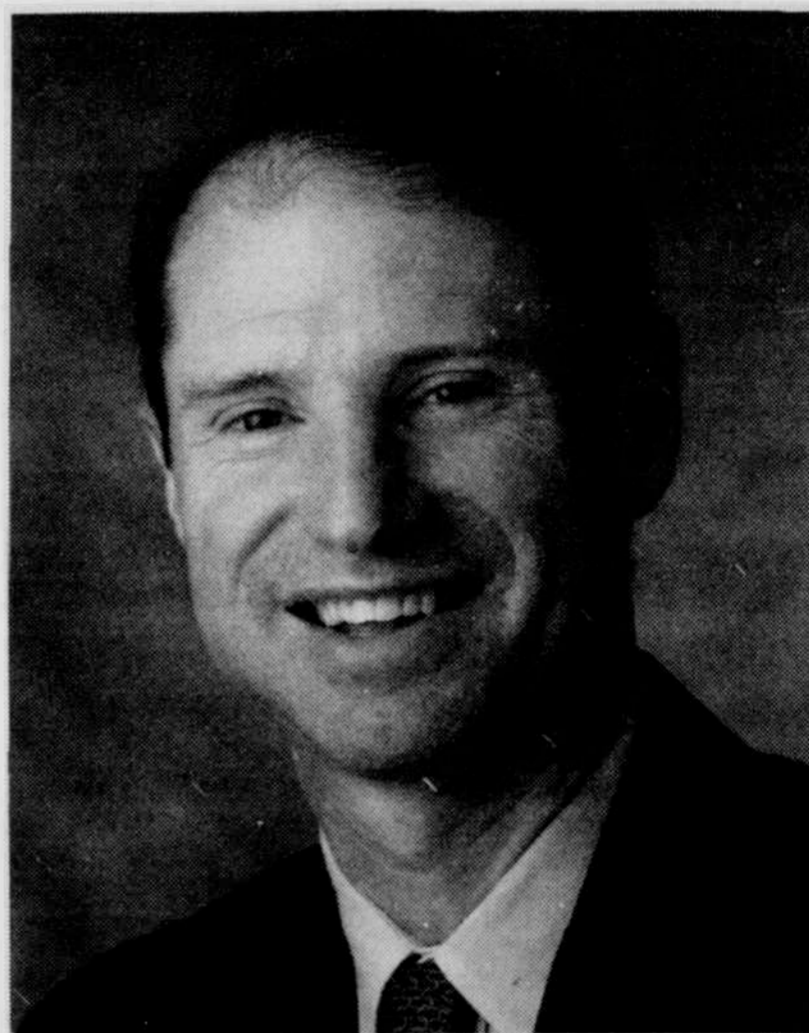
gay and lesbian people are part of it." She urged a veto of DOMA.

"This vote [DOMA] is a deplorable act of hostility," said Matt Coles of the American Civil Liberties Union. "It is the worst thing any Congress has done to gay Americans. This vote will go down in history as a low point in our nation's struggle against bigotry."

The Rev. Mel White of the Metropolitan Community Church continued a vigil outside the Capitol building while the debate and votes on these bills took place within. Twenty people formed a triangle on the steps of the Capitol. A minister read the name of a senator and the group would respond, "God give them wisdom." Then another name, and the response, "God open their hearts." The cycle repeated through all 100 names.

Representatives from ACT UP, PFLAG, the gay and lesbian youth group SMYAL, and others have joined in the daily vigil which began on Sept. 1. The location of their activities now switches to Lafayette Park across from the White House. And that is where they were the following day at noon—in the rain—bearing witness to all who participate in enacting anti-gay legislation.

Several days, perhaps weeks, will elapse while the bill is formally transmitted down Pennsylvania Avenue to the White House. President Clinton has 10 working days within which to sign or veto DOMA. He has indicated his strong support for the measure.



Senator Ron Wyden



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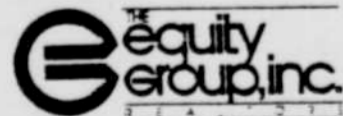
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