

# HEFLEY PROPOSAL FLOPS

**Amendment's failure in a conservative, Republican-controlled House inspires optimism about the future of ENDA legislation** by Bob Roehr

The gay and lesbian community scored a victory in the U.S. House of Representatives Aug. 5, when a measure seeking to roll back President Bill Clinton's executive order barring sexual orientation discrimination in the federal workplace was defeated by a 252-176 vote.

Interestingly, conservative legislators were among the proposal's outspoken opponents.

"Homosexuals are taxpayers too, and deserve an even break in employment in a federal government that they pay taxes for," said Rep. Dana Rohrabacher, a California Republican.

GOP Rep. Tom Bliley of Virginia, chairman of the House Commerce Committee, added, "If

sible affirmative action. Nine Republicans who have not made a statement on employment voted against Hefley.

"It was an incredible victory, it certainly is historic," says Stachelberg. "It is the first time the House of Representatives, and a fairly conservative House at that, has made clear that discrimination against gays and lesbians is not to be tolerated."

The White House issued a statement in which Clinton said: "This vote reflects the values of our nation. The American people believe in fairness, not discrimination."

Sky Johnson, director of policy and public affairs at the Los Angeles Gay and Lesbian Community Center, says, "The Hefley vote is



President Clinton signs the order May 28

a person does an honest day's work for an honest day's pay, that's all I can ask."

Winnie Stachelberg, political director of the Human Rights Campaign, a national gay and lesbian rights group, thinks Bliley's message "resonated with a lot of his colleagues."

Both Rohrabacher and Bliley have 100 percent ratings from the American Conservative Union.

Supporters of the measure, known as the Hefley Amendment, claimed the executive order would lead to affirmative action, quotas and "special rights" for gay men and lesbians. However, few chose to defend that position in debate.

Democrats contributed 188 votes and Republicans 63 votes in defeating the amendment.

Rich Tafel, executive director of Log Cabin Republicans, a national GOP gay and lesbian group, was pleased by the Republican count.

"We were solid with about 45...and about 18 came on who were waverers," he says.

The 15 Democrats who supported the measure were overwhelmingly representatives from the South.

In 1993, several Oklahoma congressmen proclaimed they would not knowingly hire lesbians or gay men to be part of their office staffs. That led HRC to seek written pledges from all members of Congress stating they would not discriminate on the basis of sexual orientation in their own employment practices.

Stachelberg says the vote mirrored the pattern of pledges HRC received: "Maybe not on a one-for-one ratio, but it was pretty close."

Tafel, meanwhile, notes that 21 of the 75 Republicans who made such a pledge voted for the amendment. Most cited concerns about pos-

particularly encouraging given the recent anti-gay advertising campaign and comments by Reggie White, Gary Bauer and Trent Lott."

Kerry Lobel, executive director of the National Gay and Lesbian Task Force, adds: "We hope this takes some of the wind out of the sails of the right wing and their anti-gay crusade. However, with the November elections looming, it is doubtful their campaign of intolerance and mean-spiritedness will go away."

Daniel McGlinchey, interim executive director of the National Stonewall Democratic Federation, says, "The Democrats carried the day." He points to the fact that 92 percent of Democrats, compared to 28 percent of Republicans, opposed the amendment.

Republicans currently control the House. Even if Democrats gain control in the next election, it will be by only a slim margin, likely less than the number of defections on this vote. So continued Republican support would be necessary to pass pro-gay legislation.

Stachelberg sees the Hefley vote as "a good first step toward getting a read on where people will be over time on the Employment Non-Discrimination Act."

ENDA is proposed federal legislation which seeks to bar sexual orientation discrimination in employment.

Tafel adds: "It is very clear that Republicans are willing to help form a majority who believe it is wrong to discriminate in the hiring, firing or promotion of people. Where they really get antsy is when you bring in the remedies of traditional civil rights and affirmative action."

He believes ENDA backers "could be more careful in crafting ENDA language" to facilitate its passage.

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