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NATIONAL news

GAY DOCS CRITICIZE NEW FDA GUIDELINES ON SPERM DONATION

The Gay and Lesbian Medical Association strongly criticized the U.S. Food and Drug Administration on May 24 for new guidelines on anonymous sperm donation that include recommendations limiting donation by gay men.

The guidelines, which were released May 25, might be construed as barring men who have had sex with men in the past five years from making anonymous sperm donations—that is, those without a specifically named recipient. Sperm donation clinics already have rules in place to ensure that anonymous, or nondirected, donations will not result in transmission of HIV or hepatitis. Among these rules is the requirement that the sperm donor is tested for infectious diseases at the time of donation, the sperm is then frozen for six months, and the donor is tested again at that time before the sperm is used.

"The FDA's published opinion in last year's Draft Guidance Document that clinics should not allow men who have sex with men, even those in monogamous relationships, to make nondirected sperm donations ignores good science and good sense," said Joel Ginsberg, GLMA executive director. "And the fact that the FDA recommends no such barriers for men who exclusively have sex with women—regardless of their number of partners, use of condoms or knowledge of their partners' HIV status—makes no sense."

rules. And yet many banks will undoubtedly interpret them as law."

Ginsberg concluded, "GLMA reminds sperm donation clinics that they have a choice in following these guidelines, but if they do so, they are ignoring science and following a discriminatory policy."

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT REINTRODUCED

The House of Representatives reintroduced the Local Law Enforcement Enhancement Act on May 26. The new bill was submitted to the House by Reps. John Conyers, D-Mich.; Barney Frank, D-Mass.; Ileana Ros-Lehtinen, R-Fla.; and Christopher Shays, R-Conn.

Though the act has been introduced in the past, the current version includes protections against violence motivated by gender identity. The Gender Public Advocacy Coalition is one among many organizations hailing the reintroduction.

"GenderPAC has always been focused on ending violence and discrimination based on gender stereotypes," said Riki Wilchins, GenderPAC executive director. "This new bill, when passed, will help provide federal protections against hate crimes so we can avoid another Brandon Teena or Willie Houston."



The Local Law Enforcement Enhancement Act would give federal protection against gender-based hate crimes, such as the one that took the life of Willie Houston.

Teena was a 21-year-old transgender man who died in late December 1994 after two men allegedly assaulted and raped him the prior week upon discovering that he had female genitalia. Houston was a 38-year-old African-American man who died in July 2001 when another man allegedly became enraged at seeing Houston holding his fiancée's purse and the arm of an elderly blind man and shot him in the chest in Knoxville, Tenn.



Brandon Teena was victimized for his perceived gender identity.

The true extent of the damage that gender-based hate crimes cause is not known. The FBI does not collect statistics on these offenses, and federal authorities are not permitted to act when local enforcement fails. The legislation will change this by compelling the FBI to track these and giving jurisdiction to federal authorities in cases where a person's gender identity is suspected to have been a motivating factor behind the violence and local authorities request help or fail to act.

"Finally," said Wilchins, "we're moving ever closer to our vision of safer communities for all Americans."

NGLTF, HRC LAUNCH \$1 MILLION FUND-RAISING DRIVE

The National Gay and Lesbian Task Force and the Human Rights Campaign announced May 31 that they would donate up to \$100,000 each as a challenge to raise \$1 million by Labor Day to fight a proposed California constitutional amendment that seeks to eliminate



Riki Wilchins is executive director of GenderPAC and author of Read My Lips, GenderQueer and Queer Theory/Gender Theory.

GLMA policy chairman Dr. Jason Schneider remarked: "It is imperative that gay men as well as sperm donation clinics understand that these guidelines are recommendations only; there is nothing in the FDA rules that were finalized last year that prohibit gay men from being anonymous sperm donors. 'Rules' have the force of law; 'guidelines' do not. The update that's being released later this month does not change that. Unfortunately, the way this is being presented by the FDA and in the press, it would be easy to misinterpret this as an absolute ban."

GLMA president Dr. Tri Do added: "We are not happy that the FDA continues to make these biased recommendations. Along with the Human Rights Campaign, the Lambda Legal Defense and Education Fund, the National Center for Lesbian Rights, the American Civil Liberties Union and Gay & Lesbian Advocates & Defenders, GLMA urges the FDA to use sound science and testing technology, rather than discriminatory criteria based on sexual orientation, as the primary condition for determining eligibility to be a sperm donor. We take some comfort in the fact that these guidelines are not part of the FDA's hard and fast