
CIVIL RIGHTS STRATEGY LUNCHEON

Friday, August 19, 1994

Third Annual International Conference on Transgender Law and Employment Policy

Speakers:

- Melinda Marie Whiteway, Attorney, Luncheon Moderator and Documentation Law Director, ICTLEP, Inc.
- Phyllis Randolph Frye, Attorney, Executive Director, ICTLEP, Inc.
- Jessica M. Xavier, Activist
- Karen Ann Kerin, Law Student, Newsletter Editor, ICTLEP, Inc.

HOW THIS CONFERENCE AFFECTS FIRST TIME ATTENDEES

by Melinda Marie Whiteway, Luncheon Moderator and Documentation Law Director, ICTLEP, Inc.

I wanted to welcome you all—I didn't say that right, did I, since we are in Texas? Welcome *y'all* to the Civil Rights Strategy Luncheon. This was formerly billed as the EEOC luncheon, but we had to change the program due to a last minute cancellation of the guest speaker.

We have the honor today of having the most increased attendance from one state this year, California. Last year maybe it was one of two people from California. And this year there's just a massive number of Californians, and I'm really glad to see that. They're so many, in fact, that they are going to have their own table at dinner tonight to plan strategy for transgendered activism in the State of California. And I understand we're going to have a Louisiana table tonight also, so those tables will be specially marked. Anyone who would like to have another state or regional table at dinner tonight, talk to Phyllis Frye. [Phyllis joked that Louisiana is actually a foreign



Melinda Marie Whiteway,
Luncheon Moderator and
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county, to which Ashley Stevens—from Louisiana—agreed in jest.]

I'm Melinda Whiteway. I'm one of the five directors of ICTLEP and the moderator of the documentation law project. I'm an attorney from San Francisco, California. I have a private practice—a solo practice—in Santa Cruz. I specialize in personal injury litigation, and I'm recently self-proclaimed to be a transgendered law specialist.

I want to say a few words about the law conference. Even though this is well advertised to be open to lay people and attorneys, I'm continually amazed at how often people say, "Well, that's not for me because I'm not an attorney." This is for you, even though, as attorneys we get the continuing legal education credits for attending this conference. I don't see any reason why non-attorneys couldn't get continuing legal education credits as well, but I'm not sure they would do you any good.

As an attorney and as a participant in the continuing legal education programs that we have in California—and I believe they have in every state now, I've been to quite a few— I remember that when I got through with last year's conference here in Houston, I came away with the somehow astounding realization of what an amazingly high quality program this was, and is. One of the organizations that I belong to as a transgendered person is the California Trial Lawyers Association, and they have continuing legal education programs as well. They have the wisdom, though, to have their programs in places like Hawaii and Jamaica as well as in Houston, Texas. Phyllis and I have discussed this many times. But Houston is a wonderful town, and I'm very happy, happy to be here.

It's just so amazing and wonderful to look out in this room and see people that I now cherish as my friends and co-workers and co-conspirators in this transition process.

Another amazing thing for me was coming all the way to Houston, Texas, last year to find out that as a residence of Santa Cruz, California, I live in a community that has one of the few ordinances, city ordinances, that officially protects transgendered persons both in employment and accommodations.

It's one of the few cities, I believe, in the country and I didn't know that. I lived in Santa Cruz county since 1967, and I did not know that. But I found out in coming to Houston, Texas, last year.

I think the important point that I wanted to make was that this kind of quality that we have in the education and this conference and the seminar is probably the result of a handful of people but one person in particular, and you know who I'm talking about. That's Phyllis Randolph Frye, and if you would all join me in standing and welcoming Phyllis to the podium for a round of well deserved appreciation. Well, she didn't know I was going to do that, she says, and that's true. So you're not the only one that can fuss over this. She's going to make her announcements.

TAKE REFUGE IN YOUR LOCAL LEAGUE OF WOMEN VOTERS

by Phyllis Randolph Frye:

I'm going to make a quick introductions. We're very pleased to have with us a long time friend of mine today. Her name is Novelle Doherty, and I'll have her stand up in a few minutes. I know Novelle in the League of Women Voters in Houston, and I encourage all you to join your local League of Women Voters. Not only will you most likely be welcomed by most of the people, most of the people I have met in the league are very educated people. And if they don't understand you, they'll

take the time—if you persist—to learn about you, which is just like anybody else, but you have a much higher percentage batting average of making it with these folks.

I joined the league in 1977. I don't remember exactly when it was that Novelle and I bumped into each other. I think it was around 1980 for the first statewide convention that I ever attended in Dallas. And she has been a vice president of the league for a long time. I have also been a vice president of the league. And, in fact, I was very blessed not only to be elected vice president of the league a couple of years ago, they nominated for reelection. Unfortunately this law conference is becoming such a resounding success that I had to decline. But I want to tell you a little story about how special Novelle is.

As I said, your percentage of acceptance is very high with the league people, but that doesn't mean that it's hundred percent. Back then there were still people that had opinions. There were still people that weren't quite sure. Every time I went to state convention to fight for the league to stand up and say that the anti-homosexual conduct statute in the State of Texas should be lobbied against by the league, I got a lot of trash. Trash is a nice word for what I caught, isn't it Novelle? We went through several biannual conventions of that. Then in the late 1980s, the state convention finally moved to Houston, and Novelle was one the two co-chairs to run that convention. In the spirit of in-your-face, she and her other co-chair named me to be the floor manager of the whole convention. Everything single thing that happened on the floor—the microphones, the overhead projectors, credentials, everything—ran through me. It was a real in-your-face experiment that was sponsored by Novelle and her co-chair Jackie Alford. So, knowing that and knowing that she is a very special friend of mine and of yours, I want you to give her a round of applause.

GOALS, STRATEGIES, FUNDING AND GRASSROOTS ORGANIZATION AND A TIP FOR THOSE WHO REMAIN CLOSETED

Introduction by Melinda Marie Whiteway:

We're very fortunate this afternoon to have two members of our community who are very special. The first is a woman who is an out, lesbian identified, bisexual male-to-female transsexual and also a transgender and queer, activist and songwriter. She's been a member of the board of the Transgender Education Association of Greater Washington D.C. serving as the group's treasurer and outreach director. She's a member of both the Renaissance Leader Philadelphia Chapter, and the Metro Area Gender Identity Connection, MAGIC, in Washington D.C. Most recently she founded the Washington D.C. Chapter of Transgender Nation.

Her activism began while working on the Host Committee for the 1993 March in Washington. She did outreach to the street community. She stayed with the March on Washington Host Committee as an EQUAL member, which is the Equality for Queers United for Activism Liberation. EQUAL with also the local Washington D.C. organizing committee for Stonewall 25. During the Atlanta and the New York City organizing committee meetings of Stonewall 25 earlier this year, she twice introduced proposals to add the bisexual, drag and transgender name into the title of the March. She's been a member of Amnesty International for over ten years and a member of its freedom writers network for past six years. She's also a charter member of the Amnesty International's members for gay and lesbian concerns.

She's also well familiar with the HIV/AIDS issues, having been a member of the clinical trial as research team at the George Washington University Medical Center for nine years, two of which were spent as the administrative manager of the AIDS clinical trial school. During her last two years at George Washington University, she transitioned on the job at the Research Clinic while working on hormone replacement studies. She is currently doing consulting work involving the provision of technical assistance to the Ryan White Care and to the Title I and II grantees for the Health Resource and Services Administration. Will you please join me in welcoming Jessica Xavier.

by Jessica M. Xavier:

Hi. I'm truly grateful to Phyllis for allowing me to speak to you here today. For those of who don't know me, I am a transgender and queer activist in an oppressive society that does not accept or understand me. This year I've had the opportunity as a singer-songwriter to sing my song at Stonewall, before three other gay pride events in Washington and Baltimore and many other drag shows as well. More recently, I founded a chapter of Transgender Nation in Washington, D.C., and I also network with other queer groups in Washington. And just this past Saturday, I was one of seven transsexual women who were the first to be openly admitted to the Michigan women's music festival. We of Camp Trans entered the land to share our stories with their women, to bear witness to our struggle as well as for their's. We were there to make a point that our sex, our gender, our lives, and ourselves are not subject to definition by a security guard at the front gate of a music festival that was ostensibly open to all women.

We transgenders are now at a crossroad. We are approaching a point where we can no longer hide from public view if we are to accomplish any tangible political goals. For years and years we bravely come out, but mainly for ourselves and to others like us. Through our organizations and support groups, we have garnered much in the way of education, research and peer support, but all these steps, while important, are no longer enough. Too many of us suffer the sting of discrimination without legal protection of any kind. Too many of us are denied fair and affordable access to medical care for our conditions. Too many of us must endure the nightmare of living in legal limbo while we are denied the re-documentation of our identities. And too many of us are denied either our parental rights or the right to adopt children.

You, the professionals of the transgender law conference, have succeeded in gathering the powerful knowledge base, upon which we may begin to build a secure future for ourselves. But without political activism, there will be no new laws created that afford protection from discrimination to those with differing gender identities and expressions. Unfortunately, the gender education outreach efforts of IFGE, AEGIS and even ICTLEP itself can only go so far in improving the lot of transgendered people. And all these organizations must protect their 501(c)(3) non-profit status, which prohibits overt political activity [within 20% of its budget].

I am a graduate of the University of Maryland, and while I was there I was a student of government and politics. I remember Aristotle's famous admonishment from "Politics", "the goal of political studies is not knowledge but action." Because we transgender are so few in number, we have sought to add our voices to those of our gay and lesbian brothers and sisters, in effort to reach our common goals. Some us here today have participated in three Marches on Washington and Stonewall 25, without mention of us in their titles and scant inclusion in their demands. But in so doing we have learned some important lessons about that which is the "art of the possible." The most important of these lessons is that without continuous engagement in the gay and lesbian civil rights movement, both

in the national and local levels, we will not be taken seriously by anyone. The major gay and lesbian political groups are now obsessed with their battle with the Radical Right, and their inclusion of sexual minorities is problematic at best. It is only through constant contact with them, will we get their attention and eventually their confidence.

But if we are to ask them to rid themselves of their transphobia, we too must rid ourselves of our own homophobia. The wall between sexual orientation and gender identity or expression must come down. The Radical Right cares not to make these distinctions; to them, there is still nothing more queer than a man in a dress. Thus our common oppression can forge common bonds. To paraphrase the Queer Nation chant, "We're here, we're queer too, and let's all get over it." Both the lesbian and gay and transgendered [and bisexual] communities have much to learn and to gain from each other. Most importantly, we must put an end to the horizontal hostility that is ripping the queer community apart. We must dismantle the gay hierarchy of oppression that seeks only to save those who pass-for-straight while sacrificing those who do not.

After the 1987 March On Washington for Gay and Lesbian Human Rights, bisexuals were quite angry over their titular exclusion as we transgenders have been for all three Marches on Washington and Stonewall 25. They learned then, as we must learn now, that without active, continuous involvement within the queer political movement, they would be marginalized and ignored. They understood that when future major marches, political initiatives or even local pride days occurred, they would again be excluded in name and remain invisible regardless of their numbers. So the bisexuals organized, nationally and locally, and began to insinuate themselves into the gay liberation movement. When the 1993 March on Washington was being organized, they were ready, and this time they were included in the title and the platform. If we transgenders fail to organize ourselves and just fall asleep until the next major event reawakens us, we will be left out again. *We cannot* let this happen. The inescapable truth is that if we want a seat at the table, we have to stay for conversation after dinner.

Clearly, the time has come for a transgender political entity to be formed and actively engage the straight and queer communities in advancing our agenda, and that time is now. I am here today to plead for your support for a national transgender political action committee, or trans-pac if you will. We need transgender political action groups all across America with state lobbies in every capitol and a permanent national lobby in Washington D. C. to deal not only with the major gay and lesbian political organizations, but also with the federal government and the Congress of these United States itself.

To give you just a small example of what it means to be in Washington, I recently applied for a passport there at the main passport office. I was turned down because the affidavit that I had from my surgeon they had never seen before. I went through this process where I had to deal with their legal affairs office. I got a call eventually from the woman who wrote the instruction that covers transsexuals for the entire country. When I put Melinda [Whiteway] in touch with her, we had a chance here to speak directly to the source of one of our documentation laws. That's just one small example of what you can do in Washington.

I'm one person. I have two major initiatives, national initiatives, going with Parents and Friends of Lesbians and Gays and with Amnesty International members of gay and lesbian concerns to include transgenders in their missions statements. This is what you can do when you're in Washington.

We finally have enough transgender activists who are willing to be involved and most importantly

who are in varying degrees of being out to their local gay and lesbian communities on a face-to-face basis. There are also other local groups, like The Transsexual Menace in New York City and Transgender Nation, who are already organized and doing the work, but their actions are uncoordinated. Our communication network is steadily improving, thanks to computer bulletin boards and the Internet. We even at last have some national magazines willing to cover political actions, such as "TransSisters," "Transsexual News Telegraph," and others. People as the resources are there now. What we now need is organization and money.

My own introduction to activism was working as an outreach volunteer for the Host Committee of the 1993 March on Washington. During my work with the queer activist community of Washington D.C. and with Stonewall 25, I have learned a few lessons about money, organizing, and how the queer political community is structured. For example, the annual budget of the richest of the political action groups, the Human Rights Campaign Fund, varies between \$4 and \$6 million. The National Gay and Lesbian Task Force, which in my opinion is more effective of the two, operates on a budget of about \$1 million. And you may well ask, where are they getting all of their money? Both groups target their solicitation marketing plans toward the closeted gay male or lesbian. Their pitch to the closeted brothers and sisters was, in effect, "if you can't come out and fight for your rights, then you must contribute anonymously to those who are out and fighting for your rights." And this message was successful, because so many gay men and lesbians are so much closer to the reality that only a thin political line separates their rights from a radical right bent on their destruction. And the Radical Right has become aware of us transgenders too as is witnessed by the two anti-transgender initiatives in Washington State.

A similar marketing plan may work for national transgender political entity. Solicitations would be placed in all the various transgender newspapers across the country with the same ad being a call to arms, asking for volunteers to serve either in an out or in an anonymously capacity. Other sources of income could be collections taken up at the various transgender conventions across the country, and also fund raisers, such as the one that just took place in New York City for Camp Trans.

I would suggest the following political goals for this national transgender political group:

1. Inclusion in whatever health care reform act emerges from the Congress for the right to easily accessible sex reassignment surgery through third-party reimbursement or, if it ever becomes possible, a single-payer health plan. Fair access to SRS should be promoted by this national group until it becomes the one concern that unites transgenders everywhere, similar to the way abortion has united the women's movement.
2. Inclusion of transgenders and gay and lesbian [and bisexual] civil rights legislation both nationally and locally, for "equal," not "special" rights under the law for protection from employment and housing discrimination. Emphasis here will be on efforts to specifically include "and gender identity and expression" or its workable equivalent in the language of the bills. We can offer to campaign and demonstrate with gay and lesbian [and bisexual] groups if they meet this requirement.
3. Similar inclusion of transgenders in hate crime legislation.
4. Necessary amendments to state laws allowing for hassle-free redocumentation, including new, unadulterated birth certificates, driver's and professional licenses, school transcripts and retention of credit histories held under prior names.
5. The provision within state laws for secure parental rights to adopt children.
6. The removal of specific anti-transgender local laws such as the infamous "three pieces of clothing" pass laws.

I would suggest the following strategies and tactics for such a group to employ to accomplish these [above] goals:

1. Establishment of a permanent Washington D. C. based lobby to deal with the Congress, the federal government and the major gay and lesbian political groups headquartered there. These groups include the National Gay and Lesbian Task Force, the Human Rights Campaign Fund, Parents and Friends of Lesbians and Gays, and others. Through the establishment of permanent links with these groups we can work toward improving communication and further cooperative efforts. Again, the only way to get a seat at the table is to stay for conversation after dinner is over.
2. National and local joint action with gay and lesbian groups who meet our titular and inclusive language requirements to campaign for common goals.
3. Working together with the Gay and Lesbian Alliance Against Defamation to combat media transphobia through public notice and letter writing campaigns.
4. Working together with the Lambda Legal Defense Fund for joint legal activity.
5. Coordinated national and local telephone and letter writing campaigns for a variety of goals, with use of femme names, transgender organizational addresses or post office boxes when necessary.
6. National, quote, unquote, action newsletters including coverage across the nation of transgender political issues, actions, successes and failures. Included would be individual stories of transgenders victimized by acts of discrimination, harassment and physical violence. By personalizing their stories, we can connect so many of us to the reality of our transgender brothers and sisters who are facing oppression each and every day of their lives.
7. Direct action by such radical groups as Transgender Nation or The Transsexual Menace. Nothing gets better press for an issue than showing up with placards, chanting and blocking traffic. That is in-your-face.

One form of direct action that really works is simultaneous demonstrations on a given day across the country. The Gay and Lesbian Americans, a new "grassroots" political rights group, recently did this on Valentine's Day of this year in twenty-one cities across the country. This really impressed the gay press by their being organized so early in their history.

Once sufficient funds were accumulated, this national transgender political group could distribute the funds to local groups fighting for initiatives with the best chances for success, because a perception of winning is all important to any political organization soliciting contributions since they are not tax deductible. Once sufficient funds were accumulated, the national transgender political group could contribute to the campaigns of local and national candidates who are either transgender-friendly or transgender themselves, like our very own Karen Ann Kerin here today.

Needed is the establishment of a clearinghouse for legal and professional help with referrals to professionals and activist groups nationwide. This would not only garner support but help build an activist base all over the country.

Most of these ideas I've already seen just within the larger gay and lesbian community, and many of them have been quite successful. This national transgender group would have to be representative of the transgender community and therefore be inclusive of transsexual men (FTM), stone butch lesbians and passing women, intersexuals, drag queens who either identify or feel comfortable with the term transgender, and any and all support of others. Its public relations efforts should be geared towards other sexual minorities, non-transgendered women and people of color. It should allow for

fair hearing of internal dissent, and I feel its board meetings would be best served by a woman-based consensus model, rather than the patriarchal Robert's Rules of Order. As Jane Fee's address yesterday told us we are engaged in a human liberation movement which may be longitudinal in nature and a multiplicity of tactics are probably going to be necessary.

Present here today are some of the most important activists within the national transgender community. We must lead by doing. I know I'm asking a lot here, I've thrown a lot of ideas together here for your consideration, ideas which may sound fantastic and unrealistic. But the reason I am an out activist is that I hold dear a personal vision, that of a future without fear, for all of us. If we conquered our fears and realize our dreams to become the persons we are, then we can also take bold action now to realize the freedom we deserve, that Liberty which others take for granted, to be who we are, without looking at fear. Thank you.

DEALING WITH QUISLINGS, COALITIONS, AND FEDERAL LEGISLATION

Introduction by Melinda Marie Whiteway:

Our next speaker is someone of a contrast to our previous one—being a closeted, shy, soft-spoken, especially soft-spoken resident, of Montpelier, Vermont [many laughs from the audience]. Well, we have such a person with us today who is a parent of five children, a grandparent, a primary caregiver to her 72-year-old father, who is a recent above-the-knee-amputee, and she's accordingly a nurse and homemaker. She herself has survived three major, cancer surgeries, and she considers herself to be the only member of our community who is a non-transgendered postoperative transsexual. She is a licensed professional engineer, registered in a number of states and foreign countries. She is a well-known Republican activist, and she's currently a candidate for the Vermont House of Representatives.

She has been with the International Conference on Transgender Law Employment Policy since the very beginning and she's currently the editor of the "ICTLEP Reporter." Presently a non-attorney, she does have extensive litigation and criminal experience, and I'm happy to say that she's recently been accepted for admission to the Vermont Law School. Ironically, she was once refused admission on several grounds: first was she was too old, and second was that they felt that she was incapable of communicating her legal ideas effectively. Well, today you can be the judges of that. Now, if you'll please join me in welcoming the self-described minority of minorities and weirdest of the weird, Karen Ann Kerin.

by Karen Ann Kerin:

You might wonder why I'm here: I guess it's kind of by default. I've known Phyllis for three years now, and during that period of time she's volunteered me to do a number of different things. When I met her, I was at the Republican National Convention [in Houston] two years ago. I was a delegate. I had brought another transgendered friend with me who had her son with her. Phyllis kind of looked at that like it was my coming-out party because I didn't think that the Republicans had ever had an out transsexual there before.

What I want to talk a little bit about is where we are, where we need to be headed, and what we've got to do to get there. We're all kind of in the same boat, and I think we need to understand a few

things.

History is punctuated by the defined moments. Those moments are always the culmination of many events that have gone before. That's how we got where we are today. Those defined moments are almost without exception the beginning of action instead of reaction. There are a series of events that cause them. Examples in our community, the transgendered community, include the inception of IFGE "Tapestry" which was the beginning of a legitimate publication for gender education. Following was of the growth of ICTLEP to address the legal needs and to serve as an arsenal for defining the common will of the transgendered. From ICTLEP has come the "Gender Bill of Rights," a kind of Declaration of Independence and constitution and a lot of other things all rolled into one. Yet, that document, as good as it is, is not so well defined that it can really create a citizens rights as fully and completely as the law, or maybe I shouldn't say the law, the nation can.

Since the inception of ICTLEP, we've been witness to the quislings, an assault from the folks we always thought were our friends. We saw the March on Washington last year grudgingly admit that transgendered is sort of an orphan stepchild. We thought we made monumental progress because one of our own, Phyllis, was featured as a speaker. This lovely little button here was something that I picked up at that March, and I liked it because it had an American flag on it and it says "Speak out." I know now I was a little bit lied to. We left there feeling warm and fuzzy because we were included, at least we thought we were. Our shared disillusionment were the promises of the previous year's elections—a shared common experience. At that March, there was a lot of people who were disillusioned by the semi-broken promises of an administration that we thought was going to do a lot to help this community.

Then came Stonewall 25—a fraud and a sham on a grand scale. We were left out, left out, of the name. Our heroes and heroines had been co-opted. The quislings of the gay and lesbian movement worked their will. Some of our transgender community marched, but it was only a last minute concession. We were led into believing that we were still included.

The quislings were not done with their handy work of betrayal. Even then, the quislings had drafted the language for the proposed civil rights legislation to be introduced in the United States Senate, and introduced in the United States House. It specifically cut us out. I'll not go on about the House Bill. The House Bill was introduced by Barney Frank of Massachusetts, who I am pretty well convinced at this point in time is a transphobic, gay Representative. I believe he is part of that very small part of the gay, lesbian and bisexual community that is genuinely transphobic.

Instead I'll focus on the Senate and Senate Bill 2238 because it enjoys bipartisan support. That means Republicans like me and Democrats like some of you. It has a large number of sponsors in the Labor and Human Relations Committee of the Senate, again bipartisan. That's important to remember. That committee is chaired by Senator Kennedy and includes Senator Jeffords of Vermont, a Republican, and Paul Wellstone of Minnesota, a Democrat. Remember these names because they figure largely in what we're talking about right now.

I'm a Republican. I'm running for the Vermont House of Representatives. Hence, I am perceived as a having a substantial block of votes under my control in my state, and that makes Senator Jeffords value what I have to say. That's also enhanced by the fact that I hold a great many party positions in the State of Vermont. I've done the laboring and worked in the pits, so to speak, which makes it very interesting.

I might mention to you that on your tables you will find one or two copies of Senate Bill 2238. We have them put there so you have something to refer to and you'll notice throughout that all references are for sexual orientation only. I hope you'll read it because when you read that bill you'll see for yourselves, you'll see exactly who and what you are and exactly what problems you've got that are addressed in that bill. [The transgendered were left out. Gender identification was left out. The proposed amended bill which includes transgender and the definition from Jane Fee's Minnesota law appears in Appendix A.]

Senator Jeffords and Senator Kennedy are both up for election in November. Jeffords needs my support and therefore keeps me well informed on issues of concern—especially on issues of concern to me. Only because of that one simple fact did I become aware of Senate Bill 2238. Jeffords thinking to please me, sent a letter detailing his support and co-sponsorship of the bill. Well, I'm no Rip Van Winkle. A bill by one title maybe toxic in its effect, and I want to know what the bill had in it. I was alerted and began a dialogue with a number of the Senator's people, his staff, both in Montpelier and in Washington and even with the Senator personally at several different Republican functions. My political senses served me well. The trail smelled very strongly and persistence was rewarded by having a senior staff person Mr. Reg Jones, who we really hoped to be here today, assigned to work with me.

Now it became time to involve the gender community. We had the information, he knew from me that there was something wrong, and we knew that there was something that should be done to affect it. So I started calling a lot of people I know in the gender community. Near the top of that list was Phyllis Frye. I had been told that the committee had already filled their agenda for the hearing and that we would not get much of an opportunity to speak, if any. I was told, however, we could submit our written testimony. I didn't think that was really too wonderful because if I mailed my written testimony down there it was going to go into a file cabinet for that hearing and nobody was ever going to read it. I think Phyllis felt the same way. Now it became time to involve the gender community. Time was against us and the opportunity to amass a large delegation just wasn't there. We only had a few days. I determined that I was going to be at that hearing even if I had to be there as a lone protester, if that was the only way I could do it.

The Senator's office discouraged me from bringing a large delegation, and I think in retrospect I know understand why. We'll talk about that in a couple of more minutes. Phyllis recognized the importance of the situation, and we agreed that we'd meet at Baltimore Airport and present our written testimony together as a bipartisan delegation. All of that evolved as part of the process of discussing with Mr. Jones that that's the way words were perceived. Because there was bipartisan support for the bill, it was important that a bipartisan group representing our community was there.

Because I'm running for office, I had these little stickers saying "I like Karen." So we brought some of those, and we thought maybe we could identify ourselves as a little bit different from that audience in that Senate hearing room. Reg Jones even put one on. He was sitting behind where his Senator sits, and nobody seemed to pay any attention. Phyllis had made us a couple of badges, very similar to these, and the badges gave our names and where we were from and pointed out the fact that we weren't being allowed to speak. Oh, and it said that we were transgendered.

And we didn't get to speak. I have not yet been able to find out whether they actually put our testimony into the written record, but I do know that Reg Jones distributed it to everyone of the Senators—it was on their desk in front of them. I do know that we did begin to make some impact because we were asked if we would like to come up with some language for an amendment to the bill.

I got a little bit of coaching on what we ought to do with it. Phyllis and I went back and forth, and we got some language done. I think the final language was on Phyllis' paper instead of mine, but it doesn't make much difference. I sent it to the Senator's office. I've been assured that that language will be drafted into nice congressional language, using our words, and the changes that we want, and it will be faxed back to myself and hopefully to Phyllis. [See Appendix A for the proposed amended bill.] All of you will hopefully be informed of that on the next "ICTLEP Reporter." That's where we're at right now with that bill.

Now, why did I say earlier that it was important to remember three names? Senator Kennedy is not helping us, and he's chair of the committee. He's up for re-election, and folks, I got to tell you, he's in a tough race. As a Republican I hope he loses. But I don't know that whoever might be taking his place will be any better. But the important point is he's under the gun. He needs every vote he can get. So I called a few people in Massachusetts and I've asked them to start calling, sending cards, sending faxes, anything they could to Senator Kennedy's offices. Let's put some pressure on him. He needs the votes: he's in a tight race. If he thinks that there's numbers there, boy let me tell you, he's going to come across. He's going to go for that. We're going to see our [amended] language get included.

Now let's not be disillusioned because that bill is not going to pass this year. What is going to happen, hopefully, is we're going to get that amended language in there. Next year when Congress comes back into session, that language will be there. When they pick it up and start toying with it, it will be there. When it finally gets on the floor, it will be there. If the House passes a different version which is very likely, a conference committee will see that language there. Because we kept it simple, we followed the advice that Phyllis and I learned very young as engineers, KISS (keep it simple, stupid), we'll probably see that language emerge from committee conference.

What did we do in the way of amending the bill or what did we propose? It's pretty simple. It's pretty straightforward. We propose that every place where it says "sexual orientation" that it say instead "sexual or gender orientation." Why is that important? Well, of course, I've done a wonderful job of muddying the water, and gender and sex can by use kind of indiscriminately sometime. Yet if we look back at that fundamental document that makes us all a citizen, that makes us legal, called a birth certificate, that if you look in all of the fifty states, you will find that the doctor fills out one little thing—that SEX blank. He looks at the plumbing, and he says, "Okay." And you get an "M" and you get an "F." So although a lot of people would rather not think of things in necessarily these terms, sex is between your legs and gender is between your ears. That is kind of a public perception, and by having both "sex or gender orientation," you kind of cover all of the basis.

Then to further cement that, in the definition section, I had tried in my first draft, to enumerate all the various groups that really make up the gender community. And I think our good friend, Jessica, from Maryland did a beautiful job of trying to enumerate them all, and I'll bet you there are still a couple that we don't know about. I don't know if the rubber people or the leather people and some of those folks are party of our community or not. But I can tell you this, if they want to be part of our community, they belong here. Jessie was very instrumental, by the way, in our efforts in Washington. After we arrived at Baltimore Airport, we thought we had a place to stay but there was no one home. Phyllis got on the phone. She said, "We'll get a hold of Jessie." Jessie very graciously put us up. So we had a place to sleep and a place to get cleaned up.

Then real quick that next morning, we got on the tube and went all the way to downtown

Washington and over to the Senate. I think Phyllis will probably never forget that trip because I don't think she's ever had the experience of going into a Senator's office and having the red carpet rolled out and being treated like you were really somebody, like you were a VIP. [Phyllis wisecracked that her Senator, Phil Gramm, is not someone that she can count on.] All Republicans are not Phil Gramm. Just like all Democrats are not necessarily nice people. And that's something that we have to recognize. You're going to find good and bad apples in every barrel.

I do know one thing. Among my acquaintances, I have a great many friends who are gay, lesbian and some that are bisexual. I do not know a single one of them that would deprive us transgenders of our rights. So this quisling betrayal that we have suffered, I think people need to understand, was done by a little elitist group. I'm not going to tell you who they are because I don't think we want to get into that kind of embitterment.

What I do think we need to do now is we have gotten to the point wherein we have the genesis of our revolution within our society. We now have a brain trust that sits here and meets once a year, and it grinds exceedingly fine. And it comes up with some really nice ideas. But dammit, we don't do anything. We don't have the means to get back, we don't have the means because ICTLEP can't lobby [very much]. It's a 501(c)(3), and it's going to triple our cost of mailing just in postage alone, if we lose that. So we don't want to see that happen.

But know you that we're facing a time when we got to stand up and be counted. And we have to stick our face in the face of politicians and we got to tell them enough is enough, dammit. I'm an American too, and that Bill of Rights applies to me as much as it does to anyone else. And if you're going to do it for part of the gender community, you're going to do it for all the gender community.

That's a very important thing folks, and how do we do that? Well, Phyllis and I can tell you it's expensive. She has estimated the cost of her three days, one day to get there, one day to get back, and one day in Washington. It's roughly \$2,000. I would conservatively guess that we need a presence in Washington somewhere between four and six weeks out of the year. We don't need a presence there lobbying and doing that sort of thing all year around. We need to be there when we need to be there. Congress has many other things that they undertake to do other than what we want. We do need a presence there. More than that, we need to start building some organizational network to bring pressure to bear on those recalcitrant politicians who would like to deny us our rightful place as Americans. I'm not ready to give up those rights. And I sure hope none of you are.

So, where do we go from here? Well, Jane Fee is very graciously offered that she'll work on lobbying Senator Wellstone, she knows him and she can probably do it in very good effect. I'll continue to work with Senator Jeffords, and some other Republican senators that I know fairly well. That's a beginning. But those things cost money, and I don't get from Montpelier, Vermont, down to Washington for free. And I know darn good and well that Jane doesn't get from Minneapolis - St. Paul to Washington for free. It takes time, it takes money. And while I don't care about being paid for my time, I do resent a little having to take all the money out of my own pocket. Not that I'd be grudging to the community, but I got so darn little of it in the first place.

What I would hope that all of you will understand, is that besides getting the language changed from just "sexual orientation" to "sexual or gender orientation" and getting the Minnesota definition [of transgender] clipped on at the end of it so we got as much as possible protection as we can, please understand that the bill is still in it's infancy. We've got a narrow window of opportunity to get that

language in there now. That's a must. Because if that bill ever gets passed without that language in there, we're going to be another generation before we get included.

So we have to keep hammering on that now. We're pretty sure that bill won't get out on the floor this year. So next year, we're going to have to lobby. We're going to have to get people sending faxes and telegrams and cards and letters and phone calls, to the Representatives and Senators. We need a framework, a structure and an organization to do that. There isn't any getting out of it, and it means a substantial financial commitment. We're not talking about pennies, we're not talking about hundreds of dollars. We're talking about at least in the tens of thousands of dollars and probably a little more than that.

Is that the end of it? No. Once that legislation passes there are enumerable other times on legislation is going to be looked at and needs to be looked at because it can very well affect us. And we need to be cognizant of it and vigilant and we need to not relax our guard. If we do, we're done.

Last night, we had sort of a preliminary gathering, and I somehow got appointed or voted acting chairperson. In any event, tonight after dinner, whether it's at 9:30 or 20 minutes after dinner breaks up, we're going to get together, and I'm going to call it TPAC, for the absence of a better name. I would like to see us get something structured. I would like us to try and get people who are going to be a part of that committee from as many different parts of the country as we can. I would like to see us get to a point where we can very quickly get ourselves created into a non-profit corporation. Even more quickly we must start developing the networking that's necessary so that when we find legislation that's a problem we can get the word out and put the pressure on where it's needed.

I'll talk more about that I guess, tonight but in the meantime I've got one or two other quick things and then I'm going to try and open up the floor for discussion. As I understood it, our host and executive secretary of ICTLEP has a room that is empty. The Acapulco room on the second floor. I guess ICTLEP was comp'ed by the hotel for the room, and they're not going to object if we use the room that will be vacant tonight anyway. You have to remember, folks, we've got to be very careful about protecting ICTLEP. We don't want to lose that non-profit 501(c)(3) status. It's very important to keeping our little brain trust alive. And while this little brain trust may be a very valuable thing, you've got to have the other horn on the bull. The one that roars and that's got to be political action.

We got a little bit of a write-up here, and I want to very quickly point it out to you. Jessie very kindly gave me a copy. It's very interesting because it's a report on that Senate committee hearing. While it talks about all the people that were there that protested against the bill, there's not one single word acknowledging that Phyllis and I were there. There's not one single word, and this is national news, folks out of the "Washington Blade." There's not one single word about transgendered. I got to tell you, folks, that hurts when I look on at the pictures. Here is a very nice lesbian who worked for Cracker Barrel was in all the national media. She read her statement with a lot of interruptions because she was in tears. And I got to tell you, folks, it wasn't any different than what we'll hear when we have a transgendered person coming in and saying "I've been fired and thrown out of my apartment. I'm living in my car and they're going to repossess that next week." And underneath that photo are Carol Moseley Brown, Edward Kennedy and Jesse Helms. That's a great bunch, isn't it? That's a real good bunch.

On your table you'll also see something. I'm not sure who brought it in, but it's the "Colorado Christian News." Diana Cicotello brought it in. In the low right-hand corner out of the Denver

edition of this "Colorado Christian News" is a very interesting little article that says, "Homosexual Rights Bill on Fast Track in Congress." Washington D.C. (EP) that's the evangelical press, who the heck ever they are. They're not our friends. And it begins like this: "A bill that would extend federal civil rights protections to homosexuals, bisexuals, transvestites, and persons who have had sex change operations, is on the fast-track for approval in the U.S. Senate." These folks don't know how to read. They got a real problem.

In keeping with that, I would mention to you that on third and final panel that they had [at the Senate committee hearings Phyllis and I attended in DC], the second speaker was a fellow by the name of Knight. God only knows how he got that name. But he made reference to "how would you feel if you had one of those gay people working for you and they came to work in a sequined dress and 5-inch spike heel shoes?" Well, obviously Mr. Knight doesn't know a whole heck of a lot about gay people, and he certainly knows an awful lot less about transgender people. Phyllis and I were sitting there and we were dressed in business suits and looking very prim and proper. Senator Kennedy knew we were there, and we were the perfect foil. In three minutes we would have demolished Mr. Knight's comments. We did not get that three minutes.

Political pressure is what we have to have, and it has to be organized and it has to be effective.

by Jessica M. Xavier:

I think you should make the point that *without action*, actually engaging in conversation, these major gay and lesbian political organization are going to establish robots for us because they're only interested in preserving a path for straight privilege. If we do not engage in these conversations or if whatever media pressure we can bear with them, they will nullify our attempt to lobby the Congress directly. We're talking about doing this is hand in hand. We just can't just go after Congress, we've got to go after the gay and lesbian political group as well.

by Karen Ann Kerin:

What Jessie is saying is that we have to coordinate this a little bit better so that we are working with the leadership in the gay, lesbian and bisexual community so that they don't get a chance to torpedo us. I agree with this one small exception. I think we need to do a sneak attack. We've got to do our own little Pearl Harbor on those suckers this time and get our amendment in there. We've got to get that amendment language in there. Then, by God, they're going to be awfully interested in working with us. Because we then become allies, very real allies. And I think it's important that that happen. The best way for that to happen is for it to be a real sneaky quick attack. Get it in there, get it done, and then all of sudden when they're faced with our accomplishment, they've got to work with us. I would prefer to be able to work with that leadership. It bothers me to have to refer to them as quislings. It bothers me that they're a fifth column when they do that kind of thing.

by Raymond Wayne Hill:

Karen, as organizer for the queer, gays and lesbian community who attends conferences and leadership gatherings [Karen stops him and recognizes from the podium his credentials are indeed valid] I find that the quislings that you referred to can be a relatively small group. Mostly recent on our battlefield, a group of elitists came in and said, "We appreciate what the rest of you rif-raffs did to get the team a place at the table. Now we don't need you anymore, because your pants got soiled

cutting your way in."

It occurs to me that the best allies within that movement are those of us with a few years under our belts who won't stand for these groups who seek exclusion. And I would think that such a coalition of people [quislings] could be relatively easy to deal off of the network that's on my computer. And I hope that nobody leaves here with the impression that the rank and file of the so-called rif-raff who are homosexuals are all queers and drunks.

by Karen Ann Kerin:

There is in effect an elite that thinks their whatever doesn't stink. When I call them quislings, I would remind you of where that word comes from. It comes from Vidkun Quisling, a Norwegian who sold out Norway to the Nazi invaders.

by Raymond Wayne Hill:

The fact of the matter is that the instant that we first heard of these people they were trying to drive a wedge between gay men and lesbians. These same people, who by virtue of all of our good work, are now a little more numerous and are going to cut those of them that wear skirts and sweaters from those of us who wear Levis and T-shirts. And it just is not going to work. What we need to do with our total movement is to center it and get on with serious business identifying who the real enemy is. I think with the support of the wonderful people in this room and those others that you and I both know are elsewhere, we should be able to put these punk kids in their place.

by Karen Ann Kerin:

Ray, I agree with you on an awful lot. I agree with you, but I think it's equally important that the transgendered community has its own political action group. We have been pushed away from the table one time too many, and our defining moment is now. If we do not seize the opportunity and get ourselves included in this important civil rights legislation, we will have lost the moment and it will not be a defining moment. And I got to tell you, Ray, you're a good friend, and I'm delighted to see that you're going to be an ally with us. I never had a doubt for a second but what you would be there.

by Phyllis Randolph Frye:

I want to make sure that everyone here is aware that in the registration packets that you received there are many multi-color and different colored inserts. One of those is on white paper, and it has a short letter signed by both of us, Karen and myself, detailing what she has explained today [see Appendix A]. On the back is a sample letter that you can do with whatever you choose. And there is also the demands on the March on Washington even though we weren't in the name, we were included in demands.

I have, not through ICTLEP but by through my own law office, faxed that to most of the queer media publications around the country. As with the Stonewall thing that ICTLEP did do and as of this thing that ICTLEP is not doing, I have slowly gotten reaction from some of the queer media around the country. And we have allies around the country in the queer press, but we have a lot of other people in the queer press around the country who still routinely trash can our stuff. So when you go home, you need to contact your local queer media rag, and rag on them about what angers you if

they're not covering our story.

by Karen Ann Kerin:

Phyllis, you are bringing out an important point and along that lines I would really like to extend my appreciation to the folks with the television camera here that are from the public access channel. I think sometimes that's the best kind of support in the world because when it gets up on that television airwaves, you don't know who's going to see and who's going to be influenced by it.

by Phyllis Randolph Frye:

I need to introduce them by the way. This is Steve Thomas the camera person and Allen Bourgois the reporter. They do a television public access show that deals with the inclusive lesbian, gay, bisexual and transgendered community here in the Houston cable area. Allen and Steve are also involved in a project that will coincide and work with next year's conference, TRANSGEN '95, a year from now. We're going to back this thing up from August into June. And Wednesday, Thursday, Friday and Saturday, we will be here at this hotel. Our conference on Sunday, we're going to be at the Astrohall for a very large, thousands upon thousands upon thousands of business people and artisans and entertainers like Liza Minelli and all this other stuff going on. And transgender is very much included in that, but I did want you to know who they were and that they are here in support for this area.

by Jackie Ann Thorne:

I wanted to make one point in regard to what Phyllis said about getting together with the various medias sources in your hometown. In addition to not only contacting them, you need to be alert to the misinformation that sometimes is printed in those newspapers and what have you. I know there's a couple of stories just recently that came out in the local Houston newspaper. I'm in the process of responding to the misunderstanding on the part of the author, who is obviously a gay individual, about what the gender community is. And, you know, there's an education process here. But you need to respond to the negative and incorrect information that may appear in the print as well.

by Phyllis Randolph Frye:

One other thing on network on the lesbian and gay community. I know that Jackie [Ann Thorne] is a member of the Imperial Court [of the Single Star], and I know that in Imperial Court are a lot of drag people. I know that our Louisiana people have a lot of ties with the drag community, in New Orleans especially. If you do have ties and are doing outreach to the drag community, tell them, tell the drag portion of the lesbian and gay [and bisexual] community, that they are being lied to. They do not understand just how vulnerable they are. They are being lied to by the lesbian, gay [and bisexual] community by being told "We want you to raise money for us, but whenever we're doing something major, please hide. When sexual orientation protection is passed then you'll be protected." If that was true, then the heterosexual people in this room—by the way being heterosexual is legal—why would the heterosexual people in this room be going through all of this oppression of being a crossdresser? So when sexual orientation protection is finally legal, the same will still apply that crossdressers who are homosexuals still have all of the discrimination they have now for crossdressing.

The drag community needs to see that although they may be homosexual, they are also part of the transgendered community. They're the overlap. They are going to get screwed royally if they don't

fight to bring the gender community along. That needs to be explained to them in detail.

by Jessica M. Xavier:

I'd like to add to what Jackie said about writing letters. Transphobia is pervasive throughout the society. One of the things that the homosexual community did was organizing in various little chapters or organizations called the Gay and Lesbian Alliance Against Defamation. GLAAD is going national. Now, they're forming all of their chapters in some twenty cities throughout this country and they're forming a transitory board, a twenty-five member board, to direct that national organization. We have out of three information packets. If there is anybody here who can devote time to that, we can put a transgender person on their board, and have a transgender representative to speak to us. We need somebody who basically can afford to do this to make this a main political activity. I can't, but I've got this information if anyone is interested. Please see me afterwards. [Contact Jessica at 301/949-6049]

by Laura Elizabeth Skaer:

I have a comment about the little Christian Newspaper that was on the table. You pointed out the obvious misinformation. And I just want to caution everybody too, in order to be effective in combatting this stuff, to read these kinds of articles carefully because there's another key piece of misinformation in this little two-column work. And it's in the next paragraph where it says, "This act would force state and local government to employ people of all sexual orientations. Unless you left out some of the bill in your handout, I did not see any language in this bill that would force anyone to employ anyone else. Be careful when you read this because misinformation is pervasive.

by Karen Ann Kerin:

The source of that is very important, folks. I think I mentioned I had to ask what "EP" was. It's Ecumenical Press. I've got to tell you, if there's any kind of a news organization that is in desperate need of being discredited, and having their press credentials pulled, it's got to be those folks. I pointed out one thing that was wrong, and you just heard another. I've got to tell you, I'm certainly alert now that if I see any kind of a news item by the EP, I'm not going to believe a word of it. And I'm certainly going to make sure that I tell other people they better not believe a word of it.

by Gordene O. MacKenzie:

I just wanted to say it's so important to combat on every level. The University of New Mexico sponsored a speaker, a supposed Ph.D., who was talking about the early deaths of lesbians, gays bisexuals, transgendered and transsexuals because they're all filthy people who ingested fecal matter. They had brochures that they handed out: the speakers did. I brought my sex and gender class of one hundred and fifty students over there, and we closed it down. They called in to the university police, but we did get the word out and got the press to be honest in their reporting.

PERHAPS WE ARE AT THE END OF THE BEGINNING OF OUR FREEDOM

by Melinda Marie Whiteway:

Thank you very much, Karen. I just wanted to comment before we leave that I've been just so

impressed with the tremendous changes that have gone on in the past few years in the gender community and really in the community at large. We were talking about, when I was a student at UC Berkeley, how it was still a segregated society. Blacks were not allowed to attend schools. They aren't allowed in many public accommodation areas. Women had very few of the rights that they have today. And I think I have seen tremendous increase in the public image of gay, lesbian, bisexual, and transgender people in the last ten or twenty years.

Transgender, I think, has really been coming into focus in just the last few years. When I, just as recently as five or six years ago, when I was struggling very hard with this issue and looking for places to get information on the subject of transgender matters, it took me two years of fruitless search to find any references on the subject. I finally thought that perhaps the Stanford University Gender Dysphoria program might have some information. It took me the better part of two years to get up enough nerve to make a telephone call to the Stanford University switchboard to find out the telephone number of the Stanford University Gender Dysphoria Clinic. So I feel that I've come a long way, and I think we have all come a long way.

I think that for some reason, perhaps a dim vestige of my passed life, I found myself watching a World War II documentary a while back. It was dealing with the wonderful speech that Winston Churchill made following the ultimate allied victory in North Africa against the German Rommel and the Africa Corps. I can't remember the exact words of the speech, but the idea was that he said, as only he can say it, "This is not the end. It's not yet the beginning of the end. But it is perhaps the end of the beginning." And I think that pretty well says it all for this community.

We have concluded, thanks to Phyllis Frye and thanks to the core group that founded this international conference on gender education. We have made tremendous progress. We made tremendous progress.

Before you leave, I'd just like to maybe outline a few things for the people who have asked as to "what we can do?" A year ago when I was here for the first time, I was sitting down at the table enjoying my lunch like all the rest of y'all are. A young lady by the name of Phyllis Frye—I happened to be talking to her one day—made some suggestions that perhaps I could get more involved. Well, I tend to be a procrastinator, and I thought oh yeah that's a wonderful idea. Even though I came away so charged and pumped up from this conference, I was thinking, however, my life is in total turmoil. It's in chaos. I've got a hundred different balls in the air in the air at any one time. I'm really too busy.

Well, if you want to know how to get involved, talk to Phyllis. Or better yet, don't talk to Phyllis unless you want to be standing behind this podium next year. It's been a wonderful experience because Phyllis, being the kind of kick-butt person that she is, knows that procrastination does not belong in this kind of a program. I have learned so much by becoming involved. It's been a personal growth experience for me, and I would encourage all of you to do some of the things that we're all capable of. We got tremendous energy and tremendous talent here. I know that you all can do it.

One of the things you can do is to continue, I think, to beat the drum that *this is not an attorneys-only function*. Get the message out. Attorneys exist because of our clientele. We exist to serve the lay population. Non-attorneys being here have the invaluable purpose of helping us define our purposes and define our needs so that we can focus our energies as attorneys in serving the greater transgender community. You can go back and report this to your local groups.

Get back there give a little presentation as to what you saw and learned here at the law conference. You can distribute literature. Phyllis has published a brochure that you can probably get from her, particularly with the contribution. You can purchase and distribute extra copies of the Proceedings. Buy extra copies and donate them to your gender groups, if they have gender library. You can donate them to your local law libraries. Well, you got to buy a Proceedings. You certainly want to buy at least one for yourselves.

Another thing that I think you can do that's maybe the most important thing is just to do what you're doing right this minute. And that's to be here. I think that the concept of being there for someone is one of the most important concepts in dealing with human relationships. So often, we're disappointed in our relationships because that special someone wasn't there for us. Well, you're all here for us. I really appreciate it. I want to thank everybody, each and every one of you for being here today. Next year be here. Come back. And bring somebody with you. If each one of you who is here today brings one other person, then we will have twice as many people here next year. Hopefully you can bring more than one person, but bring one other person.

The workshops are going to start upstairs on the second floor at 3:00 o'clock, and you have to make another agonizing choice between the two workshops which are both going to be excellent. This points out a reason where you need to buy the Proceedings. The reports of the workshop will be in the Proceedings. My documentation law section this afternoon is going to be dealing with all the nuts and bolts issues of changing your documents. What you, who attended, were leading up to in yesterday's documentation workshops is going to come to bear fruit this afternoon. So that's a tough choice, and I don't envy you of the position of having to go make that.

Thank you all again for coming.