GENDER-IDENTITY INCLUSIVENESS IN ENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WEINER) is recognized for 5 minutes.

Mr. WEINER. Mr. Speaker and my colleagues, later on this week or perhaps early next week, this House will embark on the latest chapter in our Nation's history of extending the civil rights that all Americans should be entitled to to one other group. We will be considering the Employment Nondiscrimination Act. It is an effort to make sure that people are not discriminated against in their workplace because of their sexual orientation, because of their gender identity. It is something that is intuitive to so many Americans, and, frankly, the overwhelming number of Americans. And it is an example of how sometimes we in this House lead on civil rights issues and sometimes we follow.

In this case, it is a little bit of each. Under ENDA, we will be following to a large degree. Hundreds of companies, including virtually all of the Fortune 50 and Fortune 500 companies, already recognized fundamentally that it is good business to judge people by the quality of their work, their intellect, their drive, by what they bring to the business, not what their sexual orientation or gender identity is.

Overwhelming numbers of companies, and not just companies that you would describe as being progressive, but companies from all across the political spectrum, financial services groups like American Express and J.P. Morgan and Lehman. You have companies like Clear Channel Communication, Coca-Cola, Nationwide Insurance, Nike, Microsoft. These are all companies that, when they write the contracts for their other workers, it is fundamental to them that there will be no discrimination based on someone's sexual orientation or gender identity.

For these companies and for the 90 percent or so of American people that responded to a Gallup poll in 2007, employment nondiscrimination based on gender identity and based on sexual orientation is obvious; it is not even an innovation.

But we are going to be leading in some important ways. There are still about 30 percent of people who respond to polls who are members of the lesbian, bisexual and transgender community who say that they experience discrimination at the workplace regularly. Some of them, 25 percent, say they experience it on a regular basis. Why should that be? Is that an American value? Is it an American value to say we should discriminate on someone based on the sense of who they love or how they express it? Of course not.

So, for those men and women throughout all 50 States, we will be leading later on this week when we pass the Employment Nondiscrimination Act. But it is very important that we also realize that we are leading on another element to this discussion. There is an active discussion going on in this Chamber and elsewhere whether or not to include gender identity in the same category we include sexual orientation. I say unequivocally the answer is yes. There are people who every day experience discrimination because of their gender identity.

Susan Stanton spent 14 years as the Largo, Florida city manager; 14 years, obviously doing a good job, rehired, reappointed. Susan was once Steve Stanton. When he started hormone therapy and planned to become a woman, was fired.

Diane Schroer, 25 years of distinguished service in the Army as David. Recorded 450 parachute jumps, received the Defense Superior Service Medal, hand picked to lead a classified national security operation. Retired and was offered a job with a private homeland security consulting firm. The offer was rescinded when Schroer explained he was transgender and wanted to begin the job as a woman.

But the question has come up: If we can't include gender identity in this bill, should we do anything at all? Should we take half a loaf.

My colleagues, I think the answer is no. I think we cannot toss this element of an important civil rights coalition to the side. We have to make sure, particularly in the context of us doing what is largely symbolic, there is no sense that the Senate is going to act on this, and certainly no sense that the President of the United States and this administration is going to. Maybe what we should say is we are in this together.

If we are going to make a symbolic stand, the symbolic stand should be let's pass a one House bill with only part of the protections. Let's let the symbolic message be that we are sticking together, that when we say ''GLBT,'' we mean it. And we should do something else. We should also make it very clear to those watching this discussion that we are not going to negotiate against ourselves. We are not going to say if we toss this element or that element off to the side, maybe we will be able to get what we need. There are some things that are immutable, some civil rights that are immutable. This is one of them.

We are going to stick together and pass an inclusive ENDA, or we are going to come back again and do it right.

WITNESS SECURITY AND PROTECTION ACT OF 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I have stood before the House many evenings to discuss the problems associated with witness intimidation and its detrimental impact on our judicial system and our communities.

Tragically, there has been another ruthless occurrence of witness intimidation in my home town of Baltimore City that I must report tonight. A family who spent 10 years living the American Dream found it destroyed in just 10 minutes. They came home last week to find their home smoldering and torn apart. The phrase ''rats must be killed'' and the word ''snitch'' crossed out with Xs spray painted on their walls.

The couple's oldest daughter has been in custody since July for her role in a robbery of a taxicab driver earlier this year. Apparently, her co-conspirators believe she is cooperating with law enforcement on some level. Gang activity also appears to be involved. The word ''blood'' appeared on various parts of the house.

Needless to say, the family will not be returning to their home. This is an innocent, hardworking family trying simply to live in peace. They deserve so much better.

Unfortunately, when people are willing to cooperate with the police in Baltimore City and other jurisdictions throughout our country, sadly, it has become customary for their homes to be firebombed or for them to be threatened, attacked or even killed.

No one can forget the tragedy surrounding the death of Angela and Carnell Dawson and their five children. The entire family was incinerated in October 2002 in the middle of the night when their home was firebombed in retaliation for Ms. Dawson's repeated complaints to police about recurring drug trafficking in her east Baltimore neighborhood.

Just 2 years ago, the home of community activist Edna Abier survived a firebomb attack that was launched just because of her attempts to rid her neighborhood of drug dealers. Just a few weeks ago, I had an opportunity to meet with another couple whose home had been firebombed because they were simply trying to cooperate with police.

Finally, Carl Lackl was murdered outside of his home with chilling calculation just days before he was scheduled to testify as a witness in a murder case. His murderers lured him out of his home under the premise of looking at his used car that he was trying to sell.

Violent crime in the United States is on the rise nationwide, as is drug-related gang activity. However, if witnesses are too afraid to come forward, criminals cannot be prosecuted and our justice system has no credibility and cannot stand.

This is why I introduced H.R. 933, the Witness Security and Protection Act of 2007, which authorizes $270 million over the next 3 years to enable State and local prosecutors who demonstrate a need for the funds to protect witnesses in cases involving gangs or other violence to establish short-term witness protection programs.

Improving protection for State and local witnesses will move us one step