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### Obama signs first major federal gay-rights law

Margaret Talev | McClatchy Newspapers

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WASHINGTON -- President Barack Obama on Wednesday signed the first major piece of federal gay rights legislation, a milestone that activists compared to the passage of 1960s civil-rights legislation empowering blacks.

The new law adds acts of violence against gay, lesbian, bisexual and transgender people to the list of federal hate crimes. Gay-rights activists voiced hope that the Obama administration would advance more issues, including legislation to bar workplace discrimination, allow military service and recognize same-sex marriages.

Congress passed the hate crimes protections as an unlikely amendment to this year's Defense Authorization Act. Obama, speaking at an emotional evening reception with supporters of the legislation, said that more than 12,000 hate crimes had been reported the past decade based on sexual orientation.

He spoke of President Lyndon Johnson signing protections for blacks in the 1960s and said this was an extension of that work. "We must stand against crimes that are meant not only to break bones but to break spirits," Obama said. "No one in America should ever be afraid to walk down the street holding the hands of the person they love."

Legislation barring firms from firing employees on the basis of their sexual orientation could win passage in the House of Representatives by year's end, gay-rights advocates said. More than half of U.S. states currently allow employers such freedom.

Obama has promised to push Congress to repeal the military's 'don't ask, don't tell' policy that prohibits being openly gay while serving. A Senate panel is expected to hold a hearing on that issue next month, and legislation could be debated next year.

Gay-rights activists also hope for repeal next year of the 1996 Defense of Marriage Act, which would give federal legitimacy to gay marriages recorded in states that allow them.

The amendment signed into law Wednesday was named partly for Matthew Shepard, a 21-year-old student at the University of Wyoming who died after a 1998 beating targeting him because he was gay, and whose parents were instrumental in leading the fight for such legislation. The law also was named for James Byrd Jr., a black Texas man dragged to his death in a racially motivated killing the same year.

The measure also extends protections to those attacked because of their gender or disability.

Federal hate crimes law already covers race, religion and national origin. The new law strengthened it substantially however, by removing a requirement that a victim must have been participating at the time of the assault in some federally protected activity, such as voting, for it to apply.

Matthew Shepard's parents joined Obama for the bill signing, as did the family of the late Sen. Edward Kennedy of Massachusetts, who until his death in August was deeply involved in pushing the legislation.

The Shepards' fight took a decade. With recent elections adding more lawmakers who are supportive of gay rights, by 2007 the Congress had sufficient votes to pass the legislation, but then-President Bush indicated that he'd veto it.

Obama, campaigning last year, promised to sign it.

Judy Shepard issued a statement saying that she and her husband, Dennis, "are incredibly grateful to Congress and the president for taking this step forward on behalf of hate crime victims and their families, especially given the continuing attacks on people simply for living their lives openly and honestly."

She also called on Americans to look beyond legislation and work in their own lives to advance acceptance of gays.

Critics of the legislation, including several Republican congressional leaders, argued that an attack against another person is an attack, regardless of motivation and that no special categories are appropriate.

Many also voiced concerns about "thought police" and fears that the new legal protections could curb free speech if those who oppose gay rights fear they could somehow be prosecuted for publicly voicing their thoughts. The law punishes acts, however, not thoughts.

Gay-rights advocates said that the legislation will enable the Justice Department to step in when states can't or won't, and will make extra federal money and resources available to local law enforcement officials who need help preventing or prosecuting such attacks.

They also predicted that it would affect American society in a meaningful way.

"It sends a number of messages across America: that hate will not be tolerated, that this Congress and administration value all Americans," said Joe Solmonese, the president of the Human Rights Campaign, the largest gay-rights advocacy group.

Malcolm Lazin, the founder of another advocacy group, Equality Forum, said the legislative progress comes at a time when reported violence against gays is on the rise. Last year, he said, 29 gay, lesbian, bisexual or transgender Americans were killed because of their sexual orientation.

"This is really the first federal gay rights bill," Lazin said. "So it is a literally historic moment. This is America acknowledging homophobia as a social problem."

Lazin, who helped organize a demonstration outside the White House on Wednesday calling for more protections, said the legislation "really is the beginning of a process of addressing homophobia in our schools, our communities, our culture. We learned from the black civil rights movement: In 1964, there was the Civil Rights Act, but that didn't mean it ended violence or created equality. It was the beginning of a process that's ongoing. That's how we view the Matthew Shepard Act."

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