

Democrat Patrick Leahy has represented Vermont in the U.S. Senate since 1975. Since 1992, he has cosponsored federal legislation prohibiting workplace discrimination on the basis of sexual orientation. He supported lifting the military's ban on lesbians and gays and maintains a policy prohibiting sexual orientation-based discrimination in his office. As a result of his pro-gay voting record, Leahy regularly received 100 percent positive ratings from the Human Rights Campaign, a Washington DC-based gay lobbying group. His rating for the 104th Congress, however, fell to 89 percent as a result of his vote in favor of the antigay Defense of Marriage Act (DOMA). Most recently, Leahy again earned a 100 percent HRC rating in the 107th session of Congress.

Leahy is the Ranking Member of the Senate Judiciary Committee and also serves on the Agriculture and Appropriations Committees. He is a graduate of Saint Michael's College and the Georgetown University Law Center. In November, he will run for his sixth term and will likely face Republican businessman Jack McMullen.

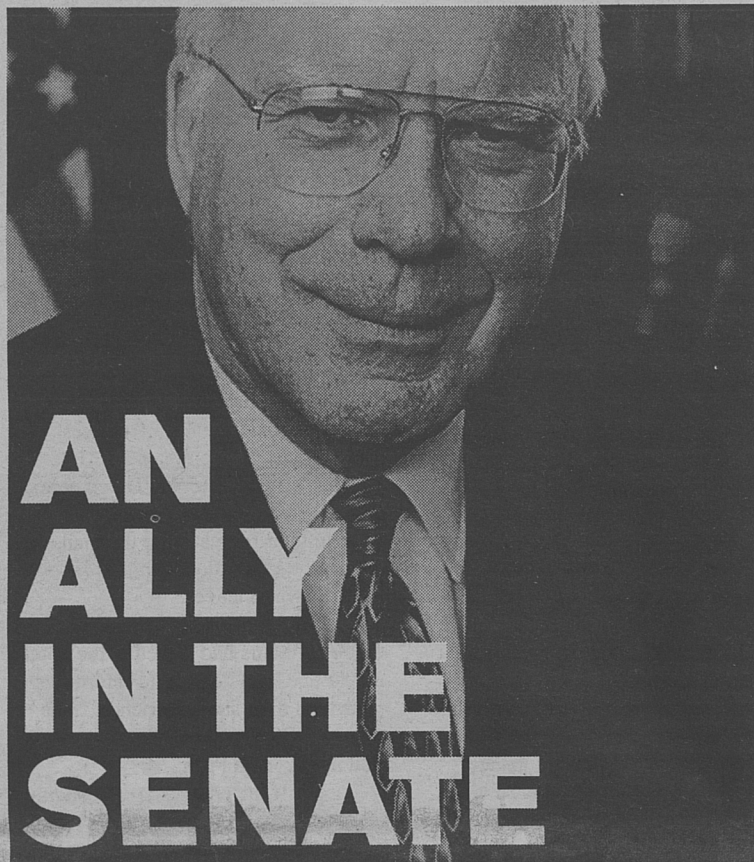
In a recent interview with *Out in the Mountains*, Leahy discussed his upcoming re-election campaign and a number of issues of concern to gay, lesbian, bisexual and transgender Americans. Excerpts from the interview:

OITM: You recently introduced the Permanent Partners Immigration Act (PPIA). Describe the bill and your motivation for introducing it.

Leahy: I did it as an issue of fairness. Under immigration law today if you are a married American citizen you have an expedited ability to bring your spouse in. As a gay partner you can't. Basically it says if you are a gay or lesbian partner you can immigrate to the United States under the same conditions as a heterosexual married partner could. More members have started to sponsor it. Sen. Chaffee is the first Republican to sponsor it and Sen. Kerry, of course, is a sponsor. We have 11 cosponsors.

OITM: Shortly after the Supreme Judicial Court's decision legalizing gay marriages in Massachusetts you said you opposed amending the U.S. Constitution to prohibit gay marriage. How did you come to this decision?

Leahy: I think that is a matter the states should determine. We went through this debate in Vermont and



Patrick Leahy Talks Politics with OITM's Paul Olsen

decided on civil unions as the appropriate way to go. We've never used the constitution to get involved in what basically is a state issue. This would also be the first time we've ever amended the constitution to hit a particular class of people, and I just don't think we should. Let the states work it out. I will fight it tooth and nail because I think it is the wrong thing to do.

OITM: Your support for the PPIA and opposition to the Federal Marriage Amendment appear to contradict your 1996 vote in favor of the Defense of Marriage Act (DOMA). How do you reconcile these seemingly conflicting positions?

Leahy: DOMA I saw as basically saying the same thing I've always said, that each state should determine their laws on marriage and their laws shall control within their state.

OITM: In hindsight, do you regret voting in favor of DOMA?

Leahy: I wish that the issue had not come up because of the motivation [for the bill]. In hindsight I think the motivation was to strike out at gays and lesbians. The irony however is that DOMA is giving some shelter to those who are willing to oppose the [anti-gay marriage] constitutional amendment because they can say we've already voted on this issue.

OITM: How do you view prospects for passage of the Employment Nondiscrimination Act (ENDA)?

Leahy: This year unless we could find some way to get it on as an amendment to something I don't see it [passing]. The Republican leadership and the White House are totally opposed to it and they are the majority. Switch two seats in the Senate and we'll [Democrats] be in the majority and we can bring it up.

OITM: The Bush Administration's Office of Special Counsel has sent mixed signals regarding whether gay and lesbian federal employees are pro-

TECTED FROM antigay bias at work. Describe your understanding of where this controversy stands.

Leahy: Obviously they should be protected. In my office and in most members' offices they are protected by our own office manual. Nobody is allowed to discriminate because of one's sexual orientation in my office. Just as some companies make it a company-wide policy because it makes sense, it is better for morale, and is better for civil rights and honesty, it should be in the government. If you pass ENDA that makes it very clear and that's why we should pass it. If they [Office of Special Counsel] take it off the website what kind of signal does that send? If I was gay or lesbian working in that workforce I'd be a little bit nervous.

OITM: A bill introduced in the U.S. Senate (S.1252) would require the federal government to "provide benefits to domestic partners of federal employees." Conceptually, is this legislation you would support?

Leahy: I would. In fact, I wrote the Mychal Judge Police and Fire Chaplain's bill. Mychal Judge was a gay priest who died in the [Twin] Towers going in to give last rights. I also urged Ken Feinberg who was the Special Master of the [9/11 victims' compensation] fund to use a broad domestic partner category for survivors of a gay or lesbian relationship.

OITM: S.1702 would eliminate federal income taxation of employer-provided health benefits to domestic partners including couples entered into civil union in Vermont. What is your position on S.1702?

Leahy: I'd support that.

OITM: In 1998 you criticized then-Senate Majority Leader Trent Lott (R-Mississippi) for refusing to schedule a vote on openly gay James Hormel to be Ambassador to Luxembourg. Now you have been criticized for blocking Senate votes on President Bush's anti-gay judges. How do you reconcile the two?

Leahy: Entirely different thing. James Hormel's was a one-year appointment and was blocked solely because he was gay - not because of any positions he's taken on anything, not because he has antipathy towards the law or a class of people. It was solely because he was gay. I would oppose any leader, Republican or Democrat, who would do that.

The judges I've opposed are for lifetime positions, and it has only been three or four who have shown a total disregard for a total class of people. It is either workers or women. One, for example, said that pregnancy that results from rape is as rare as a snowstorm in July in Miami and also that God's law says emphatically that women must be subservient to their husband. I spent eight years as a prosecutor and I saw 15-year-olds who became pregnant from rape. And I heard that wives need to be subservient to their husbands every time I arrested someone for wife beating. Am I going to try to block them from getting a vote? You better believe I will.

OITM: As President, what kind of leadership do you think Sen. John Kerry (D-Massachusetts) will provide on gay and lesbian issues?

Leahy: You won't see gay and lesbian rights taken off a government web site! I know John very well. I know from my private and public conversations with him that he would be extremely protective of gay and lesbian rights.

OITM: Why should GLBT Vermonters support your reelection in November?

Leahy: It is not what I say I will do, it is because of what I have done. Look at my hiring practices, my Mychal Judge bill, my immigration legislation, my fight against the [anti-gay marriage] constitutional amendment, and my votes on nominations.

OITM: Do you have a final message for GLBT Vermonters?

Leahy: Vermont went through all kinds of debate and we survived, we're stronger. I look at what Bob Stafford said and the *Rutland Herald* editorials which won the Pulitzer Prize. Respect people. Respect them in their lives. We're better as a state if we do. People can give to the state. If you have a committed couple who make their community and state better, as Senator Stafford said, we're all better for it. Marcelle and I will be married this summer 42 years. There's nothing I've accomplished that hasn't been without her support and her work. We've been total partners. We're better off when we have couples that feel that way about each other. ▼

Paul Olsen covers national and state political figures for OITM. He lives in Colchester and also writes for Boston's In Newsweekly.

"Nobody is allowed to discriminate because of one's sexual orientation in my office." Sen. Patrick Leahy