

Jonathan Schreiber
Legislative History Project – H.3810 – Gender Identity Bill

Compiling the legislative history of this bill was a roller coaster. On one hand, Mike was extremely helpful, providing me with written testimony from the June 8, 2011 Judiciary Committee hearing, a number of emails he received from various concerned organizations, and some news reports he received via email. On the other hand, Alicia Pradas-Monné refused to give me any information. She explained that it was committee policy to not disclose any private testimony, noting that it was especially important to enforce that policy with this bill given the sensitive nature of much of the testimony, and the fact that most was explicitly given in confidence. She seemed to suggest that I may be able to see these materials under the right circumstances, but that she could not budge on her strict classification stance because I told her the purpose of the legislative history project was to eventually publicize the information.

This result hearkens back to some of the debates we had in class about government transparency. My initial reaction is that all this information should be accessible to the public. It feels odd that the government can make decisions based entirely on some piece of information that the general population doesn't know. However, as Alicia explained, the alternative is to deprive everyone, lawmakers and public alike, of that information, because without the confidentiality guarantee, some people would not testify at all, especially on an issue as controversial and socio-politically polarizing as gender identity. As we concluded a couple of times in class discussions, at some point it seems, in the interest of the best operation of government, the public needs to trust their elected leaders to do their jobs. This thought would definitely have been more daunting prior to this semester, but after observing a senate office from the inside, I feel better about it after having witnessed how seriously staffers and elected officials take this responsibility.