Joe Biden: LGBT+ rights record, agenda and promises as inauguration nears

HILARY MITCHELL JANUARY 12, 2021

Joe Biden’s current vocal support for LGBT+ rights is certainly impressive.

But will his support for the LGBT+ community and ambitious LGBT+ platform that aims to roll back the damage done by Trump’s “discrimination administration” translate into real change?

In short, will he actually be the progressive president that so many LGBT+ Americans are hoping for?

In an attempt to answer that question, we’ve taken a look at Joe Biden’s LGBT+ track record as his inauguration draws near, including his key pledge to make enactment of the crucial Equality Act during his first 100 days as president a “top legislative priority”. Here’s everything you need to know about the Biden-Harris administration’s LGBT+ position and promises.

Joe Biden’s LGBT+ history: the story so far.

We’ll start with the positive things. Firstly, one of the most impactful acts that Joe Biden carried out was during his time as vice president was to come out in support of same-sex marriage in 2012, before his boss Barack Obama did the same.

During an edition of Meet The Press he said: “Who do you love? And will you be loyal to the person you love? And that’s what people are finding out is what all marriages, at their root, are about.”

On his official campaign website, he states: “Joe Biden believes that every human being should be treated with respect and dignity and be able to live without fear no matter who they are or who they love.”

Joe Biden and his family are also vocal advocates and supporters of the trans community. His late son Beau Biden was a close friend of Delaware’s Sarah McBride, who became the first transgender person ever elected to state senate in the November election. McBride worked on Beau Biden’s reelection campaign for attorney general in Delaware. The Biden family remain on close terms with McBride, whose husband – like Beau Biden – tragically died of cancer.

Joe Biden wrote the foreword for her book Tomorrow Will Be Different: Love, Loss and the Fight for Trans Equality, noting that transgender equality is “the civil rights issue of our time.”

In the past, McBride has praised Joe Biden’s support of trans people, saying: “The president-elect has always been far out ahead on transgender issues. And I think all of us benefit from knowing people who are trans and organic agents of change in daily life…I know Joe Biden also wants to honour and carry forward his son’s work and legacy on this issue.”

Joe Biden co-founded the As You Are campaign to advocate for families’ acceptance of their trans children.

He’s also compared homophobia to cancer. In a speech at the Human Rights Campaign’s National Dinner, he spoke about the “terrible disease” that killed his son Beau, and said it’s just as important to challenge homophobia as it is cancer, adding “this is a disease and a blight on America, this disease of homophobia. But we can end it. We can save my grandkids, my great-grandkids, and thousands and thousands of Americans, and the rest of the world will repair to the American standard.”
Most recently, during his acceptance speech, made history as the first president-elect to thank transgender people.

However, you probably won’t be surprised to hear that – as a 78-year-old career politician – Joe Biden’s track record on LGBT+ rights is far from perfect, and not quite as glossy as his campaign website and most recent statements would have you believe.

Joe Biden first entered the Senate in 1979, when homosexuality was still criminalised in many states. Like many of his fellow senators, Biden was the opposite of an ally to LGBT+ people, and in his first year as a senator he even declared that gay people should not receive security clearances because they would be a “security risk”.

In stark contrast to his 2012 statement in support of same-sex marriage, for years he championed the Defence of Marriage Act (DOMA), which defined marriage as between a man and a woman, and refused to budge, repeatedly backing this legislation throughout the 2000s and throughout his vice-presidential campaign.

And that’s far from the only problematic hangover from his less LGBT-friendly days.

In 1992, he voted to block an amendment that would extend rights to cohabiting same-sex partners, a year later he voted in favour of Don’t Ask, Don’t Tell, a policy that Bill Clinton introduced as a compromise measure to the existing ban on LGBT+ people serving in the military, which stated they could remain if they did not openly declare their sexual orientation.

Many gay rights activists criticised the policy for forcing military personnel into secrecy.

That same year, he voted to block the immigration of HIV positive people into the United States. And in 1994 he voted for an amendment to cut off federal funding for schools that taught “acceptance of homosexuality as a lifestyle”.

So while Joe certainly seems every inch an ally now, it’s important to remember his voting record is far from rainbow coloured. But crucially, he has evolved, and today is a fervent ally to the community.

What LGBT+ promises did Joe Biden make during his campaign?

What promises didn’t he make, might be a better way to look at it. Biden’s in-depth and inclusive LGBT+ policy runs to some 20+ pages, you can read it in full here. We’ve summarised as best we can below.

Joe Biden has pledged to “stand with the LGBT+ community”, issuing a long list of promises and commitments aimed at rolling back the damage done to equality in America during the four years of the Donald Trump presidency.

His main LGBT+ election promises are to:

- Protect LGBT+ people from discrimination.
- Support LGBT+ youth.
- Protect LGBT+ individuals from violence and work to end the epidemic of violence against the transgender community, particularly transgender women of colour.
- Expand access to high-quality health care for LGBT+ individuals.
- Ensure fair treatment of LGBT+ individuals in the criminal justice system.
• Collect data necessary to fully support the LGBT+ community.

• Advance global LGBT+ rights and development.

The first promise is a biggie. In order to further protect LGBT+ Americans from discrimination – including being fired, or denied access to services – the incoming president has vowed to enact the Equality Act, a bill currently in the US Congress that, if passed, would amend the Civil Rights Act to prohibit discrimination on the basis of sexual orientation and gender identity.

Biden says that he will make “enactment of the Equality Act during his first 100 days as president a top legislative priority”.

In addition to this, he has also pledged to “immediately reverse the discriminatory actions of the Trump-Pence administration”, including, notably, reversing the transgender military ban.

The Obama-Biden administration moved to allow trans individuals to serve openly in the military. The Trump-Pence administration rolled it back. Biden says “every American who is qualified to serve in our military should be able to do so — regardless of sexual orientation or gender identity and without having to hide who they are”.

He says he’ll also reverse policies that allow for military personnel to be forcibly discharged if they have HIV, and direct his Secretary for Housing to ensure LGBT+ veterans needs are met.

Another discriminatory rule proposed by the Trump-Pence administration allowed adoption and foster care agencies that discriminate against LGBT+ families to receive government funding. Biden intends to repeal that rule.

Along with the Equality Act, Biden has pledged to make enacting the Violence Against Women Reauthorization Act of 2019 one of his top first 100 day priorities if it isn’t passed before he takes office. The bill contains additional protections for LGBT+ people, including for transgender prisoners.

He’s also vowed to address the high rates of homicide of trans people, particularly transgender women of colour.

The platform also includes a pledge to ban conversion therapy by working to enact the Therapeutic Fraud Prevention Act, which would prevent its commercial practice, and a promise to ensure asylum laws protect those fleeing prosecution.

Biden has also set a goal of ending the HIV epidemic by 2025, five years ahead of the goal set by Trump.

Who are the key LGBT+ players in Joe Biden’s team?

The incoming president has promised to make sure that the Biden-Harris administration will “look like America”, and he’s already appointed several LGBT+ people and people of colour to his transition team.

He says he will also nominate and appoint federal officials and judges who “represent the diversity of the American people”.

One important member of the team is Reggie Greer, the Biden team’s LGBT+ engagement director. Greer is a Black gay man living with a disability who joined the Biden-Harris campaign in March after working at the LGBTQ Victory Institute and, before that, serving in the Obama/Biden White House. He has previously said: “Our lives are on the line in this election. So many of the policies that [conservatives] rolled back directly affect the lives and livelihoods of LGBTQ+ people.”
In November, Carlos Elizondo, a gay man who previously worked as Joe Biden’s social secretary when he was vice president, was named White House social secretary.

Karine Jean-Pierre, an out lesbian and chief of staff for vice president-elect Kamala Harris, has been appointed deputy press secretary, and fellow lesbian Pili Tobar has been named deputy White House communications director.

Shawn Skelly has been named as part of the Department of Defense advisory team. Skelly became the first trans veteran appointed by a president when she joined the Obama administration in 2013.

Also, US presidential candidate Pete Buttigieg has been formally nominated by president-elect Joe Biden to be his transportation secretary. It marks the first time an openly LGBT+ cabinet member has been sent to the Senate for confirmation.

What’s next?

It’s clear that Biden is keen to swiftly repair the damage that the Trump-Pence administration has done, not just to the lives of individual LGBT+ Americans, but also to America’s reputation.

Undoing the harm that has been done to LGBT+ rights in the US won’t be an overnight task, but Biden has made it abundantly clear that he intends to do his utmost to set the various injustices to rights.

His LGBT+ engagement director Reggie Greer summed up the huge challenge ahead in an interview with them, saying: “We’re going to have a lot of challenges thrown at us over the next several years, and the next administration has to be able to walk and chew gum. I know we’re all worried right now, but I am excited about the prospect of us coming together in a collaborative spirit [to create] a government that can actually address all of these issues [and to] get excited about a country that looks like the country that we dream of.

“I keep coming back to it, but that just really excites me.”

You can find all of PinkNews’s coverage of Joe Biden here.

https://www.pinknews.co.uk/2021/01/12/joe-biden-lgbt-rights-record-agenda-election-promises/