

Biden Signs Bill Protecting Same-Sex and Interracial Marriage Rights

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President Joe Biden speaks during a bill signing ceremony for the Respect for Marriage Act, Tuesday, Dec. 13, 2022, on the South Lawn of the White House in Washington. (AP Photo/Patrick Semansky)

WASHINGTON — President Joe Biden signed the Respect for Marriage Act into law on Tuesday afternoon, presiding over a joyful celebration that saw more than 2000 people gather on a chilly South Lawn of the White House.

“Marriage is a simple proposition. Who do you love? And will you be loyal to that person you love?” the president told the crowd bundled against the chill.

“It’s not more complicated than that,” he added as a large cheer swept over the attendees.

The law, passed by Congress just last week, officially voids the Defense of Marriage Act, which defined marriage as between a man and a woman.

It mandates that states honor the validity of out-of-state marriage licenses, including same-sex and interracial unions.

“This law and the love it defends strike a blow against hate in all its forms,” the president said as purple lights bathed the south face of the White House. “And that’s why this law matters to every single American.”

The gathering itself had a celebratory air, with loud, throbbing music being played between speeches delivered by the president, Vice President Kamala Harris, outgoing House Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer.

Even White House staffers danced enthusiastically as Lady Gaga’s “Born This Way,” and Ike and Tina Turner’s rendition of “Proud Mary” blared over the loudspeakers.

In what’s becoming something of a White House tradition, the president welcomed a “surprise” musical guest, in this case two — the Oscar-winning singer Sam Smith and Cyndi Lauper performed.

Smith performed his hit “Stay With Me,” while Lauper performed her “True Colors,” telling the crowd at the end, “This time, love wins.”

Earlier, during an impromptu appearance in the White House briefing room, Lauper told reporters gathered for the afternoon briefing, “I came here because I wanted to say thank you to President Biden, Speaker Pelosi, Vice President Harris and all the advocates in his team.

“For once, our families, mine and a lot of my friends, people you know, sometimes your neighbors, we can rest easy tonight because our families are validated,” she said.

Cyndi Lauper visits the White House briefing room. (Photo by Dan McCue)

“Because now we are allowed to love who we love — which sounds odd to say, but Americans can now love who we love,” Lauper continued. “Bless Joe Biden and all the people who worked on this for allowing people and their children not to worry about their future.”

The road to the signing of the bill was a long one.

In 1996, then-Sen. Joe Biden voted in favor of the Defense of Marriage Act, which banned federal recognition of same-sex marriage by limiting the definition of marriage to the union of one man and one woman, and it further allowed states to refuse to recognize same-sex marriages granted under the laws of other states.

Over time, however, Biden changed his view.

While serving as vice president, Biden shocked many of his former colleagues and much of the country, when he came out in public support of same-sex marriage for the first time during an interview on NBC's "Meet the Press," a moment he reflected on Tuesday.

During that appearance, Biden said in answer to a question about the issue, "I am absolutely comfortable with the fact that men marrying men, women marrying women, and heterosexual men and women marrying another are entitled to the same exact rights, all the civil rights, all the civil liberties."

On Tuesday, he joked that he "got in trouble," for the unplanned pronouncement.

Three days later, former President Barack Obama himself publicly endorsed gay marriage.

But his transformation on the issue reflected a turning point for the nation.

Despite opposition from some conservative Republicans, the Respect for Marriage Act passed in the House with 39 members of the GOP joining Democrats in support, after getting through the Senate with 12 Republican senators.

Many of those Republicans were in attendance for Tuesday's event.

The renewed push to codify the protections came after the Supreme Court overturned *Roe v. Wade*, which affirmed the right to have an abortion.

In a concurring opinion to *Dobbs v. Jackson Women's Health Organization*, Justice Clarence Thomas listed the 2015 ruling *Obergefell v. Hodges*, the case that affirmed right to same-sex marriage, as another landmark case that may be due for review.

Thomas also mentioned *Griswold vs. Connecticut*, the 1965 ruling in which the Supreme Court said married couples have the right to obtain contraceptives and *Lawrence v. Texas*, which in 2003 established the right to engage in private sexual acts.

Biden cited the case and Thomas's concurring opinion in his remarks Tuesday.

"Sadly we must also acknowledge another reason we're here," Biden said. "Congress is acting because an extreme Supreme Court has stripped away the right important to many Americans that has existed for half a century: the *Dobbs* decision. The court's extreme conservative majority overturned *Roe v. Wade* and the right to choose."

The Respect for Marriage Act does not completely codify same-sex marriage, it simply makes it more unlikely that the Supreme Court would overturn *Obergefell v. Hodges*.

If it did, states that oppose same-sex marriage could still outlaw it, as anti-abortion states are doing after this summer's ruling.

"It's one thing for the Supreme Court to rule on a case," Biden said. "It's another thing entirely if the elected representatives of

House Speaker Nancy Pelosi.

the people take a vote on the floor of the United States Congress and say clearly ‘love is love, right is right, justice is justice.’”

Prior to the president’s remarks, Harris recalled officiating at a lesbian wedding in San Francisco, and announced the couple were in attendance at the White House.

Other invited guests included Judy Kasen-Windsor, widow of gay rights activist Edie Windsor; Matthew Haynes, co-owner of Club Q, the LGBTQ club in Colorado Springs where a gunman last month killed five people in a mass shooting; and a number of plaintiffs from cases that culminated in *Obergefell v. Hodges*.

Majority Leader Schumer wore the same purple tie to the ceremony that he wore to his daughter Alison's wedding. She and her wife are expecting their first child in the spring.

"Thanks to the millions out there who spent years pushing for change, and thanks to the dogged work of my colleagues, my grandchild will get to live in a world that respects and honors their mothers' marriage," he said.

But perhaps the biggest applause, other than those that accompanied the actual signing of the bill, went to Pelosi who told the crowd that "inside maneuvering only takes us so far," and she thanked activists for their "impatience ... persistence and ... patriotism."

As he signed the bill, Biden said it would secure federal "protections that come with marriage."

"For most of our nation's history, we denied interracial couples and same sex couples from these protections," Biden said. "It failed to treat them with equal dignity and respect. And now, this law requires an interracial marriage and same-sex marriage must be recognized as legal in every state in the nation."

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