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FILE - Vice President Joe Biden addresses a Freedom To Marry event in New York, July 9, 2015. P legislation this coming week that will protect gay unions even if the Supreme Court revisits its ruling of same-sex couples to marry. It's the latest part of Biden's legacy on gay rights, which includes his marriage equality on national television a decade ago when he was vice president. (AP Photo/Cra

## Biden called gay marriage 'inevitable' and soon it'll be law

BY ASSOCIATED PRESS | WASHINGTON

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WASHINGTON (AP) — A decade ago, then-Vice President Joe Biden shocked the political world and preempted his boss by suddenly declaring his support for gay marriage — one of the country's most contentious issues — on national television. But not everyone was surprised.

...ing, in the near future someone is going to propose gay marriage.

"Mark my words. And my job — our job — is to keep this momentum rolling to the inevitable."

The day that Biden envisioned may have arrived. He plans on Tuesday to sign legislation, passed by bipartisan majorities in Congress, to protect gay unions — even if the Supreme Court should revisit, as some fear or hope, its ruling supporting a nationwide right of same-sex couples to marry.

Biden's signature will burnish his legacy as a champion of equality at a time when the LGBTQ community is anxious to safeguard legal changes from a backlash on the right that has used incendiary rhetoric, particularly against transgender people.

"It is a historic moment and a long time coming," said Bruce Reed, the White House deputy chief of staff and a longtime adviser to Biden. "It's all the more inspiring in light of what the country has been put through in recent years, and what courts have threatened of late."

If there's a feeling of anticlimax, it's because the politics of marriage have shifted as dramatically as Biden predicted. Although the issue is not universally embraced — a majority of Republicans in the House and Senate voted against the legislation — it's no longer considered a dangerous third rail.

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That wasn't the case a decade ago.

Chad Griffin, who led the American Foundation for Equal Rights and the Human Rights Campaign, said it was common for lawmakers to tell him, "You know privately I'm with you, and you know so-and-so in my family is gay or lesbian, but politically, I can't be out there."

Activists' frustration extended to President Barack Obama. He had made some changes, such as eliminating the "don't ask, don't tell" rule that prevented gay people from serving openly in the military, but had stopped short of embracing marriage equality despite lawsuits that were forcing the issue to the forefront.

gay people — and their children. When it was time for the question-and-answer session, Griffin decided he shouldn't sidestep the issue.

"When you came in tonight, you met Michael and Sonny and their two beautiful kids," he said to Biden. "And I wonder if you can just sort of talk in a frank, honest way about your own personal views as it relates to marriage equality."

Biden responded as Griffin had requested — frankly and personally.

"All you got to do is look in the eyes of those kids," he said. "And no one can wonder, no one can wonder whether or not they are cared for and nurtured and loved and reinforced. And folks, what's happening is, everybody is beginning to see it."

Just over two weeks later, Biden was on NBC's "Meet the Press," and host David Gregory asked whether he supported gay marriage. Biden said the issue came down to "a simple proposition."

"Who do you love? And will you be loyal to the person you love?" Biden said. "And that's what people are finding out is what all marriages, at their root, are about, whether they're marriages of lesbians, or gay men, or heterosexuals."

Biden said the president, not him, "sets the policies." But he said gay couples should have "all the civil rights, all the civil liberties."

Gautam Raghavan was leading LGBTQ outreach for the White House at the time. On the Sunday that the interview aired, he and his husband were hosting some friends for brunch, and the TV was on in the background.

"We were watching it and thinking, 'Oh my God, I can't believe that just happened,'" Raghavan said. He can't remember what they ate that morning, but "I'm sure we had a mimosa afterward."

It was an unusually unscripted moment in carefully choreographed Washington.

For Biden, "all politics is personal," said Reed, who was Biden's chief of staff in the vice president's office. "And I think that's what prompted him to speak his mind."

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At the time of Biden's interview, Jim Obergefell was living in Ohio with his partner, John Arthur, who had recently been diagnosed with the deadly disease known as Lou Gehrig's disease, or ALS.

Marriage was always considered out of the question, Obergefell said, but Biden's comments caught his attention. The following year, after the Supreme Court ruled that the Defense of Marriage Act was unconstitutional, Obergefell proposed to Arthur.

They married in Maryland, where it was legal, but their home state of Ohio would not recognize their union. Although Arthur died in 2013, their legal battle continued to the Supreme Court. Obergefell met Biden for the first time in 2015.

"I just remember walking up to him and he hugged me and the first words out of his mouth were condolences for the loss of my husband," he said.

The Supreme Court soon legalized gay marriage nationwide in a decision known as Obergefell v. Hodges.

Although the issue was widely considered to be settled, it resurfaced last June when the court's conservative majority overturned Roe v. Wade, which legalized abortion in 1973. In a concurring opinion, Justice Clarence Thomas wrote that the court "should reconsider" other precedents as well, including the Obergefell ruling, raising concern that other civil rights could be rolled back.

Legislation to revive the right to abortion was politically impossible. But marriage might be a different matter, and supporters believed they could rally enough Republican votes to sidestep a filibuster in the Senate. They were right.

Obergefell, however, is not experiencing a sense of satisfaction.

"Our right to marry was affirmed by the Supreme Court. And in a perfect world, we would never have to worry about losing that," he said. "We now know that rights that people counted on and expected are no longer safe."

Instead of feeling happy, he said, "I'm on edge."

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of abuse.

Protesters, sometimes armed, have shown up at events where drag queens read to children. Five people were shot to death at a gay club in Colorado last month. The suspect has been charged with hate crimes.

“The story of civil rights in America is always evolving,” said Raghavan, who now runs the White House personnel office. “We should never assume that we’re done with something because we got a good court decision or a piece of legislation.”

Biden has taken steps to safeguard rights for transgender people, such as reinstating anti-discrimination provisions eliminated by President Donald Trump. Biden also ended the ban on transgender people serving in the military. Transportation Secretary Pete Buttigieg is the first openly gay Cabinet member, and Biden's assistant health secretary, Rachel Levine, is the first transgender person to win Senate confirmation to an executive post.

Sarah McBride, a transgender state senator from Biden's home state of Delaware, said it's a comfort “for so many of us, who feel frightened or vulnerable or alone, to know that the leader of this country, the leader of the free world, not only sees us but embraces us.”

McBride worked for Biden's eldest son, Beau, during his campaigns for Delaware attorney general, and she came out as transgender in 2012.

Before Beau Biden died from brain cancer in 2015, he helped pass Delaware laws that legalized gay marriage and banned discrimination over gender identity. McBride said the experience deepened the elder Biden's own commitment to these issues and “he's carrying on Beau’s legacy.”

As last month's midterm elections approached, the White House played host to Dylan Mulvaney, a Broadway performer who has chronicled her gender transition on TikTok, to talk about transgender issues with Biden.

Conservative critics were apoplectic. Ben Shapiro, a popular commentator, called the interview “maybe the most disturbing clip in presidential history.”

... people realize, individuals realize, 'Oh, this is what they're telling me to be frightened of, this is the problem.' I mean, people change their minds."

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