

OBAMA AND MCCAIN ON LGBT ISSUES

	OBAMA	MCCAIN
GAY MARRIAGE / CIVIL UNIONS	Obama Does Not Support Gay Marriage But Will Fight For Civil Unions As President And Believes States Should Make Their Own Decisions On The Issue Of Marriage. [Boston Globe, 5/16/08 ; Chicago Tribune, 9/25/04]	McCain Opposes Gay Marriage, But Said He Thought Same-Sex Partners "Should Be Able To Enter Into Legal Agreements, And I Think That That Is Something That We Should Encourage," Even Though He [ABC, 5/22/08]
FEDERAL MARRIAGE AMENDMENT	Obama Voted Against A Federal Amendment To Ban Same-Sex Marriage [Vote 163, 6/7/06]	McCain Voted Against A Federal Amendment To Ban Same-Sex Marriage [Vote 163, 6/7/06] McCain Plans To Accept The GOP Platform On Gay Marriage, Which Calls For A Gay Marriage Amendment To The Constitution. [Washington Times, 4/2/08 ; Republican Party Platform]
STATE AMENDMENTS	Obama "Opposes All Divisive And Discriminatory Constitutional Amendments, State Or Federal. That Includes The Proposed Amendments In California And Florida." [Statement, 5/15/08]	McCain "Supports The Right Of The People Of California To Recognize Marriage As A Unique Institution Sanctioning The Union Between A Man And A Woman, Just As He Did In His Home State Of Arizona." [Statement, 5/15/08]
DOMA	Obama Supports Complete Repeal of DOMA [Chicago Sun-Times, 6/6/07]	McCain Voted For "Defense Of Marriage Act" Banning Federal Recognition of Same-Sex Marriages [Vote 280, 9/10/96]
DON'T ASK, DON'T TELL	Obama Supported Repealing Don't Ask-Don't Tell. [Obama for America LGBT Fact Sheet]	McCain: "Don't Ask, Don't Tell Policy Is Working"; Voted to Keep Don't Ask, Don't Tell" And Against Lifting Ban On Gays In The Military [Richardson, TX, 2/28/08; Vote 250, 9/9/93; Vote 9, 2/4/93]
HIV / AIDS PREVENTION	Obama Voted For Increased Funding For AIDS Drug Assistance. [Vote 278, 10/27/05]	McCain Voted Against Increased Funding For AIDS Drug Assistance And Increased Funding For The Ryan White CARE Act. [Vote 278, 10/27/05; Vote 335, 9/10/03]
EQUAL RIGHTS / DISCRIMINATION	Obama Sponsored Illinois Trans-Inclusive ENDA Bill; The Bill Later Passed After Obama Had Been Elected To The US Senate. [SB 101, Session Sine Die, 1/11/05; PA 93-1078, 1/21/05] Obama Voted To Prohibit Businesses From Discriminating Based On Sexual Orientation [90th GA, SB 0895, 3/19/97, 3R L; 23-6-26]	McCain Voted Against Extending the Civil Rights Act To Prohibit Job Discrimination Based On Sexual Orientation. [Vote 281, 9/10/96] McCain Said "I Don't Believe [Homosexuals] Belong In A Special Category. ... That's Why I Voted The Way That I Did. I Think That Enforcement Of Existing Law Could Work Rather Than Passing Special Laws For Special Categories Of People." [ABC, "This Week," 2/27/00]
HATE CRIMES	Obama Passed Law To Identify Hate Crimes, Add "Conspiracy Against Civil Rights" To List Of Hate Crimes. [HB 0136, PA 92-0830, 8/22/02] Obama Said He Will Enact The Matthew Shepard Act To Outlaw Hate Crimes. [New York Blade, 6/10/08]	McCain Repeatedly Voted Against Strengthening Federal Hate Crimes Legislation To Include Gender And Sexual Orientation. [Vote 114, 6/15/04; Vote 147, 6/11/02; Vote 136, 6/20/00]

GAY MARRIAGE / CIVIL UNIONS

McCain Said He Thought "People Should Be Able To Enter Into Legal Agreements, And I Think That That Is Something That We Should Encourage." McCain said he thought "people should be able to enter into legal agreements, and I think that that is something that we should encourage, particularly in the case of insurance and other areas, decisions that have to be made. I just believe in the unique status of marriage between man and woman. And I know that we have a respectful disagreement on that issue." [[ABC, 5/22/08](#)]

McCain Abandoned States' Rights Position On Gay Marriage Amendment, Accepted GOP Platform. In April 2008, McCain's advisors told the Washington Times that McCain "will not try to 'soften' the Republican party's platform on abortion and same-sex marriage." The platform advocates for "a Constitutional amendment that fully protects marriage." [[Washington Times, 4/2/2008](#); [Republican Party Platform](#)]

Obama Believes "That Marriage Is Something Sanctified Between A Man And A Woman" Because Of His Christian Faith But Won't Let His Personal Views Dictate His Approach To Public Policy. "Obama said that his Christian faith dictates that marriage should be between a man and woman. 'I'm a Christian. And so, although I try not to have my religious beliefs dominate or determine my political views on this issue, I do believe that tradition, and my religious beliefs say that marriage is something sanctified between a man and a woman...' Obama said he would not let his religious beliefs dictate the way he approaches public policy." [[Chicago Tribune, 9/25/04](#)]

Obama Will Fight For Civil Unions As President And Believes States Should Make Their Own Decisions On The Issue Of Marriage. The Obama campaign said in a statement, "Barack Obama has always believed that same-sex couples should enjoy equal rights under the law, and he will continue to fight for civil unions as president. He respects the decision of the California Supreme Court, and continues to believe that states should make their own decisions when it comes to the issue of marriage." [[Boston Globe, 5/16/08](#)]

➤ **Obama Supports Civil Unions For Gay And Lesbian Couples Because "Giving Them Set Of Basic Rights Would Allow Them To Experience Their Relationship In A Way That Does Not Cause Discrimination."** "[Obama] said he would supports civil unions between gay and lesbian couples, as well as letting individual states determine if marriage between gay and lesbian couples should be legalized. 'Giving them a set of basic rights would allow them to experience their relationship and live their lives in a way that doesn't cause discrimination,' Obama said. 'I think it is the right balance to strike in this society.'" [[Chicago Tribune, 9/25/04](#)]

MARRIAGE AMENDMENT

McCain Supported States' Rights In Same-Sex Marriage Debate. In a March 2008 Fox News interview, when asked about banning same-sex marriage, McCain said, "I believe the states should make these decisions on the marriage amendment. I am a federalist. I believe states like mine and other states that we should amend our state's constitutions. And I will stick to that position until such time if ever a higher court says that my state or another state has to recognize the other status of marriage." McCain went on to say, "But if it is overturned by a superior court, I will then obviously support the other right path." [[Fox News, "Hannity's America," 3/16/2008](#)]

McCain Told a Conservative Audience That He Was Proud to Have Led an Effort To Ban Same-Sex Marriage In Arizona. "Dan Lothian, CNN's Boston Bureau Chief: Welcome back to CNN's BALLOT BOWL. I'm Dan Lothian in Philadelphia, Pennsylvania. As the Democrats, Senator Hillary Clinton and Senator Barack Obama continue to battle it out to see who will become the Democratic nominee, Senator John McCain waits to find out who will be his opponent. In the meantime, he is doing some much needed fundraising and also trying to shore up his conservative base. He has been criticized for not, by some in his party, for not being conservative enough. He was in New Orleans recently talking to some of the more conservative members of his party, talking about issues that are important to them, such as border security and also talking about unifying the Republican Party. Take a listen. ... McCain: I'm proud to have led an effort in my home state to change our state Constitution to protect the sanctity of marriage between man and woman. So I will be standing on my record. I was asked to speak as briefly as possible, and I apologize for that, but I will stand on my record. I will continue to advocate for those fundamental principles of our party and our faith." [[CNN, 3/9/08](#)]

Obama Voted Against A Constitutional Amendment To Ban Same-Sex Marriage. Obama sided with the vast majority of Democrats opposing attempts by the Republican leadership to bring up a vote on a constitutional amendment to ban same sex-marriage. Cloture on the motion to proceed to the Federal Marriage Amendment. [Vote 163, Cloture on SJ Res 1 rejected 49-48 (R 47-7; D 2-40; I 0-1) 6/7/06; CQ, 6/7/06]

Obama Said That The Debate Over the Marriage Amendment Was An Effort to Break the Consensus Being Forged And That Marriage Should Be Left To The States. Explaining his opposition to a gay marriage amendment, Obama said, "This debate is a thinly-veiled attempt to break a consensus that is quietly being forged in this country. A consensus between Democrats and Republicans, liberals and conservatives, Red States and Blue States, that it's time for new leadership in this country - leadership that will stop dividing us, stop disappointing us, and start addressing the problems facing most Americans. I personally believe that marriage is between a man and a woman. But I also agree with most Americans, including Vice President Cheney and over 2,000 religious leaders of all different beliefs, that decisions about marriage should be left to the states as they always have been." [States News Service, 6/7/06]

DEFENSE OF MARRIAGE ACT

McCain Voted For "Defense Of Marriage Act" Banning Federal Recognition of Same-Sex Marriages. IN 1996, McCain voted for the Defense of Marriage Act (DOMA), to ban federal recognition of gay marriages and authorize states to refuse to recognize same-sex marriages conducted in other states. The bill effectively prohibits the federal government from allowing same-sex partners to receive spousal or survivor benefits under such programs as Social Security and government pensions, or to receive preferential treatment under the tax code. [1996 Senate Vote #280, 9/10/1996]

Obama Has Opposed DOMA, Felt It Was A Poorly Conceived Law, And In 2004, And Hearing From Gay Friends Who Relayed to Obama How Hurtful It Was For The Bill TO Be Law, He Supported Its Repeal. The Chicago Sun-Times reported, "In his Illinois campaign for a Senate seat, candidate Barack Obama said in a questionnaire he was against the repeal of the Defense of Marriage Act. In 2008, Sen. Obama, now running for president, said he is for a repeal. Obama filled out the questionnaire, dated Dec. 15, 2003, for the Independent Voters of Illinois-Independent Precinct Organization. Obama spokesman Bill Burton said, 'Obama has opposed DOMA. He felt it was a poorly conceived law and, in 2004, after hearing from gay friends who relayed to Obama how hurtful it was for the bill to be law, he supported its repeal.'" [Chicago Sun-Times, 6/6/07]

DON'T ASK, DON'T TELL

McCain: "I Believe That The Don't Ask, Don't Tell Policy Is Working." When asked if he would overturn "Don't Ask, Don't Tell," McCain said "No sir. I believe that the don't ask, don't tell policy is working. I'm uh, I hear that from our military commanders all the time. There are some issues in which you just have to rely on the views of our military leaders if you're going to give them responsibility for the lives and the welfare of the men and women who are serving under their command. I have a record, a clear record of advocacy for non-discrimination in any way in America. But when General Colin Powell and General Schwarzkopf and General Petraus and our most respected military leaders come and say that this policy is working successfully then I'm not going to change it. Now does it, as any policy need to be reviewed from time to time? Of course. But I would point out that we should rely to a very, very large degree on the views of those within whom we place the lives and welfare of the young men and women in the military." [CNN Live Feed (Richardson, TX), 2/28/2008]

1993: McCain Voted To Keep "Don't Ask, Don't Tell" Language In Defense Authorization Bill. McCain voted against a Boxer amendment that would strike Senator Nunn's language in section 546 from the defense authorization bill. This section would codify a prohibition on homosexuals serving in the military – the "don't ask, don't tell" policy. [1993 Senate Vote #250, 9/9/1993]

1993: McCain Voted Against Lifting the Ban On Homosexuals In the Military. In 1993, McCain voted against supporting the President's right to lift the ban on gays in the military. [1993 Senate Vote #9, 2/4/1993]

Obama Called Don't Ask, Don't Tell An "Outdated Policy" And Said The Criteria For Service Should Be "Anyone Who Is Willing To Serve Our Country And Die On A Battlefield For Us And Our Patriots. The AP reported, "During an earlier campaign stop at a YMCA gym in Charles City, Obama was asked if he would end the military's 'don't ask, don't tell' policy regarding homosexuality. He answered that the policy is a mistake. 'Anybody who is willing to serve our country and die on a battlefield for us and our patriots, that's the criteria for whether or not they should be able to serve in our military,' Obama said. 'England doesn't have this policy. Israel doesn't have this policy. It's an outdated policy.'" [AP, 10/6/07]

Obama Supported Repealing Don't Ask-Don't Tell. Barack Obama agrees with former Chairman of the Joint Chiefs of Staff John Shalikashvili and other military experts that we need to repeal the "don't ask, don't tell" policy in consultation with military commanders. The key test for military service should be patriotism, a sense of duty, and a willingness to serve. Discrimination should be prohibited. The U.S. government has spent millions of dollars replacing troops kicked out of the military because of their sexual orientation. Additionally, more than 300 language experts have been fired under this policy, including more than 50 who are fluent in Arabic. Obama will work with military leaders to repeal the current policy and ensure it helps accomplish our national defense goals. [Obama for America LGBT Fact Sheet]

HIV / AIDS PROTECTION

McCain Voted Against Programs To Increase Awareness About Emergency Contraception. McCain "voted against legislation to ensure that sex education be scientifically accurate instead of just abstinence based, has voted to impose parental consent for teens seeking birth control, and has opposed legislation that birth control be covered by insurance. He has also voted against programs to increase awareness about emergency contraception." [Salon, 3/24/08]

McCain Voted Against And Obama Voted For Increased Funding For AIDS Drug Assistance. In 2005, McCain voted against providing an additional \$74 million for the AIDS Drug Assistance Program. [2005 Senate Vote #278, 10/27/2005]

McCain Opposed Increasing Funding For Ryan White CARE Act By \$401 Million. In 2003, McCain voted against providing an additional \$401 million for programs under the Ryan White CARE Act. [2003 Senate Vote #335, 9/10/2003]

2005: Obama Voted For Providing An Additional \$74 Million For AIDS Drug Assistance Programs. In 2005, Obama voted for waiving the Budget Act in order to consider the Bingaman amendment, which provided an additional \$74 million for AIDS Drug Assistance Programs. [HR 3010, Vote 278, 10/27/05, Failed 46-50, D:39-2, R:6-48, I:1-0]

EQUAL RIGHTS / DISCRIMINATION

McCain, Speaking About His Vote Against Extending The Civil Rights Act To Prohibit Job Discrimination Based On Sexual Orientation, Said "I Don't Believe [Homosexuals] Belong In A Special Category. ... That's Why I Voted The Way That I Did. I Think That Enforcement Of Existing Law Could Work Rather Than Passing Special Laws For Special Categories Of People." McCain, while claiming to be "opposed to discrimination against anybody under any circumstances," stated: "I don't believe that they [homosexuals] belong in a special category. ... That's why I voted the way that I did. I think that enforcement of existing law could work rather than passing special laws for special categories of people." [ABC, "This Week," 2/27/00]

McCain Voted Against Extending the Civil Rights Act To Prohibit Job Discrimination Based On Sexual Orientation. In 1996, McCain voted against the Employment Non-Discrimination Act (S. 2056), which would have prohibited job discrimination on the basis of sexual orientation. [1996 Senate Vote #281, 9/10/1996]

Obama Voted To Prohibit Businesses From Discriminating Based On Sexual Orientation. Obama voted for a bill to amend the Criminal Code by penalizing a business that fails to deliver to a specific location or intends to discriminate against a person at that location because of the actual or perceived race, color, creed, religion, ancestry, sex, sexual orientation, physical or mental disability or national origin of the residents of that location. Penalty would be a petty offense with a fine of \$25 to \$500. [90th GA, SB 0895, 3/19/97, 3R L; 23-6-26]

Obama Sponsored Illinois ENDA Bill; The Bill Passed As Part Of A Different Measure After Obama Was Elected To The US Senate. The bill defined "sexual orientation" as: having or being perceived as having an emotional, physical, or sexual attraction to another person without regard to the sex of that person or having or being perceived as having an orientation for such attraction, or having or being perceived as having a gender-related self-identity, appearance, expression, or behavior, whether or not traditionally associated with the person's designated sex at birth. In January, after Obama was elected to the US Senate, the Illinois General Assembly passed into law ENDA legislation that defined sexual orientation as actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult. [93rd GA, SB 101; Session Sine Die, 1/11/05; 93rd GA, SB 2597, CCR #1 P 30-27-1, 1/10/05; PA 93-1078, 1/21/05]

HATE CRIMES

McCain Voted Against Expanding Federal Hate Crimes Legislation. In 2004, McCain opposed an amendment to broaden the categories covered by hate crimes to include crimes motivated by the victim's gender, sexual orientation or disability. [2004 Senate Vote #114, 6/15/2004]

McCain Voted Against Strengthening and Expanding Hate Crimes Legislation To Include Gender and Sexual Orientation. In 2002, McCain voted against a bill to broaden the definition of hate crimes to include those based on gender, sexual orientation, and disability. The legislation also included funds for state and local law enforcement to help prevent and fight hate crimes. [2002 Senate Vote #147, 6/11/2002]

McCain Voted Against Broadening Hate Crimes Legislation To Include Gender and Sexual Orientation. In 2000, McCain voted against expanding crimes considered hate crimes to include those motivated by gender, sexual orientation and disability. It would also authorize funds to assist prosecution and prevention of these crimes and make it easier for the federal government to intervene. [2000 Senate Vote #136, 6/20/2000]

Obama Passed Law To Identify Hate Crimes, Add 'Conspiracy Against Civil Rights' To List Of Hate Crimes. Obama was the chief co-sponsor and voted for House bill creating identifying classes of felonies for the commission of a hate crime. The bill also creates the offense of conspiracy against civil rights, when a person, with the intent to interfere with the free exercise of a right or privilege secured to the person by the United States Constitution agrees with another to inflict physical harm on any person or of threat and either the accused or a co-conspirator has committed any act in furtherance of that agreement. [92nd GA; HB 0136; 3R P, 51-0, 5/7/02; PA 92-0830, 8/22/02]

Obama Said He Will Enact The Matthew Shepard Act To Outlaw Hate Crimes. Obama said, "I will place the weight of my administration behind the enactment of the Matthew Shepard Act to outlaw hate crimes and pass a fully inclusive Employment Non-Discrimination Act to outlaw workplace discrimination on the basis of sexual orientation and gender identity." [[New York Blade, 6/10/08](#)]