

# HOW DOES PROJECT 2025 AFFECT LGBTQIA+ PEOPLE?

MARCH 2024

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# AN ALL-OUT ATTACK ON LGBTQIA+ RIGHTS & GENDER IDENTITY

LET'S CUT TO THE CHASE: Project 2025 is an all-out attack on all LGBTQIA+ people – an attempt to demonize them and strip them of all federal protections against discrimination.

The authors paint LGBTQIA+ people as unnatural, dangerous, and a threat to "normal" families and children. If Project 2025 is fully enacted, the US will return to the days when a person can be criminalized and fired for being perceived to be gay or identifying as LGBTQIA+.

Project 2025's anti-LGBTQIA+ agenda is related to its refusal to accept any flexibility in definitions of gender, so it targets *everyone* whose gender expression does not match the conservative norm. (*See our "What Does Project 2025 Say about Sex and Gender?"*)

**Virulent transphobia:** The most visible targets are transgender people, who are thoroughly dehumanized in the conservative vision policy paper – in fact, even a *discussion* of trans issues could be seen as worthy of a prison sentence. But make no mistake about it – everyone in the LGBTQIA+ community will lose all rights and protections if Project 2025 is enacted.

**What it says:** Project 2025 outlines a concerted campaign to delete *all* references to LGBTQIA+ people from all federal documents, and to rescind any protection against discrimination. The authors also make clear that there is only one acceptable form of *family*: "Families comprised of a married mother, father, and their children are the foundation of a well-ordered nation and healthy society." (*pg. 451*)

**Divisionism:** The language used in the document marks LGBTQIA+ people as *unnatural* and excludes them from the definition of a "normal" healthy society. It equates LGBTQIA+ and gender identity as a threat – especially to children – and equates it with pornography, which is deemed a crime. This is a classic first step toward marking a group of people as Other, dehumanizing them, presenting them a social threat, to be feared or hated, not deserving of equal civil or social protections, and thus making it acceptable to attack them. Projects 2025 advances homophobia, using policy as a cover for hatred. *It's an Us vs. Them tactic of social divisionism*.



**Criminalizing Others:** Taking a page from the anti-abortion movement, Project 2025 also extends its backlash by calling for criminalization of providers of services to LGBTQIA+ people, including health providers of gender-affirming care, or others who support LGBTQIA+ identity, such as teachers or librarians who promote books about LGBTQIA+ experience. That too, takes a page from the autocrat's toolbox. It fosters public fear of any association with LGBTQIA+ people and communities, using an enforcement threat of outing, arrest, jail, job loss, or other consequences.

**What's the result?** If Project 2025 is enacted, LGBTQIA+ lives and civil rights will be deeply restricted, with less recourse to fight *discrimination* in all areas of public life: at work, school, in access to health, educational, and other services. LGBTQIA+ individuals and their families may become afraid or unable to seek health or others services, or a job they are qualified for, or use their preferred pronouns...the possible backlash list is long. LGBTQIA+ community groups and agencies will face federal government funding losses, while providers may be less willing to offer essential health or other services, fearing repercussions.

In a word, LGBTQIA+ lives will be in danger, and they may go underground. LGBTQIA+ visibility will decrease, and so will public awareness of their lives and experiences.

## A SUMMARY OF KEY ATTACKS (PROPOSED "POLICY REFORMS") ON LGBTQIA+:

# *Anti-wokeness*": Delete all references to sexual orientation and gender identity in federal rules and regulations:

**Project 2025 labels any concern for LGBTQIA+ issues as a target of the culture wars against "wokeness,"** which it conflates with restrictions on free speech. The authors say, *"The next conservative President must make the institutions of American civil society hard targets for woke culture warriors. This starts with deleting the terms sexual orientation and gender identity ('SOGI'), diversity, equity, and inclusion ('DEI'), gender, gender equality, gender equity, gender awareness, gender-sensitive, abortion, reproductive health, reproductive rights, and any other term used to deprive Americans of their First Amendment rights out of every federal rule, agency regulation, contract, grant, regulation, and piece of legislation that exists." (pg. 3-4)* 

If sexual orientation and gender identity cannot even be named in official documents, that means they are taboo – not recognized, not seen as legitimate.

Equity for LGBTQIA+ people is listed among the policies that are seen as destructive to American society:



"The next secretary should also reverse the Biden Administration's focus on 'LGBTQ+ equity,' subsidizing single-motherhood, disincentivizing work, and penalizing marriage." (pg. 284)

The authors' insistence on putting the term LGBTQIA + equity in quotation marks delegitimizes it, marking it as something that goes against the conservative version of American values.

- Marriage is only for straight people: Project 2025 states that the legal definition of marriage should be "a biblically based, social science–reinforced definition of marriage and family." That means the next step will be overturning the legal right to same-sex marriage.
- Promoting the heteronormative family; delegitimizing same-sex relationships: "Families comprised of a married mother, father, and their children are the foundation of a well-ordered nation and healthy society. Unfortunately, family policies and programs under President Biden's HHS are fraught with agenda items focusing on "LGBTQ+ equity" [...] These policies should be repealed and replaced by policies that support the formation of stable, married, nuclear families." (pg. 451)

Project 2025 adds, "Social science reports that assess the objective outcomes for children raised in homes aside from a heterosexual, intact marriage are clear: All other family forms involve higher levels of instability (the average length of same-sex marriages is half that of heterosexual marriages); financial stress or poverty; and poor behavioral, psychological, or educational outcomes." (pg. 481) The definition of marriage should be based on what is in the Bible." (pg. 481)

This definition of *family* makes it clear that same-sex couples do not constitute an acceptable form of family, which indicates that they would not have rights under a conservative administration.

*Fact check*: the average length of gay and straight marriages is comparable: <u>https://onlinelibrary.wiley.com/doi/10.1111/jomf.12141</u>

Adoption: Allow faith-based agencies to refuse adoptions for LGBTQIA+ families. Project 2025: "Congress should pass the Child Welfare Provider Inclusion Act to ensure that providers and organizations cannot be subjected to discrimination for providing adoption and foster care services based on their beliefs about marriage." (pg. 478)

This proposal is a form of judicial discrimination. It reflects another way to delegitimize LGBTQIA+ families and push them outside the mainstream.

# Legislative attacks:



Project 2025 supports court decisions that support discrimination against LGBTQIA+ people on religious grounds – a template: The authors applaud the 2023 Supreme Court decision in favor of the plaintiff in 303 Creative LLC v. Elenis, in which a Colorado website designer did not want to create a website for a same-sex couple due to her religious beliefs. (pg. 560) This decision was made despite Colorado law that prohibits all "public accommodations" from denying "the full and equal enjoyment" of its goods and services to any customer based on race, creed, disability, sexual orientation, or other statutorily enumerated trait.<sup>1</sup>

In short, the Supreme Court supported a religious exemption from state law, a legal argument Project 2025 authors hope will be advanced in other lawsuits.

Restrict the application of "Sex Discrimination" protections: Project 2025 also focuses on the application of the Supreme Court's decision in Bostock v. Clayton County. Under the Biden administration, Bostock determined that that "an employer who fires someone simply for being homosexual or transgender" violates Title VII's prohibition against sex discrimination. Project 2025 authors vehemently disagree with this decision, claiming that the court "did not purport to address other Title VII issues, such as bathrooms, locker rooms, and dress codes, or other laws prohibiting sex discrimination." (pg. 584)

Project 2025's focus on the above cases suggests that new conservative lawsuits will attempt to *remove the named protections* for LGBTQIA+ people as a judicial goal.

#### **Religious freedom arguments:**

Allow discrimination on the basis of religion: Project 2025 also states that religion should be allowed to enable discrimination in the workplace. "... the Biden Administration has been hostile to people of faith, especially those with traditional beliefs about marriage, gender, and sexuality. The new Administration should enact policies with robust respect for religious exercise in the workplace, including under the First Amendment, the Religious Freedom Restoration Act of 1993 (RFRA), Title VII, and federal conscience protection laws." (pg. 585)

That would return us to the days when LGBTQIA+ people could legally be fired as teachers, lawyers, librarians, doctors – any and every job.

## **Transgender issues:**

<sup>&</sup>lt;sup>1</sup> <u>https://www.supremecourt.gov/opinions/22pdf/21-476\_c185.pdf</u>



- Trans identity is not recognized or accepted: Project 2025 asserts that sex is only binary, so transgender people or any in-between or more fluid gender identity are unacceptable. It is an "unscientific notion," they claim, that "men can become women (and vice versa)" (pg. 456). Sex must be defined "under Title IX to mean only biological sex recognized at birth" (pg. 333).
- Project 2025 would forbid gender-affirming care for teenagers or adults, and forbid the changing of names, pronouns, and ID cards to match one's gender.
- **4** Doctors who offer gender-affirming care (like abortion doctors) would be criminalized.
- *Any safe spaces for nonbinary people, such as gender-neutral bathrooms, would be closed.*
- Project 2025 specifically targets trans and nonbinary individuals as a threat to children: Says Project 2025: "Look at America under the ruling and cultural elite today: [...] children suffer the toxic normalization of transgenderism with drag queens and pornography invading their school libraries" (pg. 1). (See also "What Does Project 2025 Say about Sex and Gender?" for a deeper discussion of the gender war.)
- Trans people are equated with pornographers and thus criminals: "Pornography, manifested today in the omnipresent propagation of transgender ideology and sexualization of children, [...] has no claim to First Amendment protection" (pg. 5). People who purvey such material, they say, should be "classed as registered sex offenders." That category could include teachers or librarians with books about LGBTQIA+ people, and even tech platforms – also seen as purveyors of access to porn.
- **Ban anyone who is HIV positive or has gender dysphoria from the Armed Forces:** "Exceptions for individuals who are already predisposed to require medical treatment (for example, HIV positive or suffering from gender dysphoria) should be removed, and those with gender dysphoria should be expelled from military service." (pg. 103)

They add, "Gender dysphoria is incompatible with the demands of military service, and the use of public monies for transgender surgeries or to facilitate abortion for servicemembers should be ended." (pg. 104)

# **Exporting Homophobia:**

Project 2025 is not only a domestic policy vision paper, but seeks to export its "anti-wokeness" war on gender abroad, wherever possible. It would:

**Realign US government (USG) foreign policy and aid to reflect a traditional values** "pro-family" platform, one based on Biblical values. Any foreign organization seeking



USG aid in any sector would have to agree to implement an anti-choice, anti-diversity, anti-LGBTQ+ agenda, or risk being denied funding.

- **It would replace an apolitical federal workforce with Christian conservative loyalists**, and this extends to the diplomatic and high-level foreign service positions. LGBTQ+ workers would be targeted by this policy.
- Support LGBTQIA+ criminalization outside the US: Project 2025 calls for supporting other governments who enact anti-LGBTQIA+ laws and policies, not boycotting them or hitting them with aid sanctions.
- **4** It calls for expanding USG funding to local Christian groups and private sector actors.

The possible repercussions of these policy reforms are catastrophic for LGBTQ+ individuals and communities who now rely on US government funding and on foreign government programs who now use USG funds for health, humanitarian, and other sectoral programs. It also extends to epidemic control of other global diseases including Covid-19, monkeypox, tuberculosis, malaria, and hepatitis, often rolled into HIV prevention programs.

### What's Most at Stake? Key proposed reforms that impact LGBTQIA+ people include:

- Cut US government funding for regulatory agencies that impact on global health like the Centers for Disease Control, Food and Drug Administration, National Institutes of Health. Project 2025 also calls for decreasing the authority and influence of the World Health Organization and other UN agencies, including those with HIV programs like UNAIDS.
- Require PEPFAR (the President's Emergency Plan for AIDS Relief) to implement a strict adherence to a pro-life agenda as a condition of re-authorization, and cut funds to programs with services viewed as beneficial to LGBTQIA+ people and communities.
- Assure that US government involvement and funding for the Global Fund for AIDS, Malaria and Tuberculosis similarly adheres to a traditional family values agenda and similarly expands invitations to participation to Christian groups, private sector actors.
- Extend the "Mexico City Policy" to be global: Project 2025 seeks to expand a past US policy that requires foreign nonprofit organizations to certify they will not provide or promote abortion as a method of family planning as a condition of getting USG family planning funds. This policy also impacts women's and maternal health care services used by women living with HIV, and sexual minorities, as well as sex workers.
- **Extend criminalization to providers abroad**: The call criminalizes providers of genderaffirming care and services to LGBTQIA+ people would apply to USG global policy.



### The human toll of criminalization:

Over the past year, in the US and abroad, antigay bills that have led to a severe backlash against LGBTQIA+ people, organizations and health providers.<sup>i</sup> In Uganda and Ghana, where draconian bills have been implemented, this backlash can be measured in deaths, cases of torture, evictions, loss of health services, and vigilante attacks on homes, families, hospitals and institutions that serve LGBTQIA people.<sup>ii</sup>

*Health impacts*: Hospitals in Uganda and Ghana serving HIV patients have charted the negative impact on health services for vulnerable key populations (KPs) connected to criminalization. So have refugee watchdog groups charting the spike of LGBTQIA+ emergency housing, asylum requests and protection requests.

If Project 2025 was fully enacted, it threatens to reverse three decades of gains made by successful PEPFAR and Global Fund-supported HIV prevention and care programs.

#### **Project 2025's "Missionaries of Hate"**

Many media stories have charted the role being played by several right-wing Christian evangelical groups deemed hate groups by the Southern Poverty Law Center who have funded, helped train, and helped organize African anti-LGBTQ evangelical allies and government officials to advance draconian antigay legislation. including **Family Watch International** and the **Center for Family and Human Rights (C-FAM)**, the latter a Project 2025 advisory group.<sup>iii</sup>

FWI and C-FAM officials are deemed "missionaries of hate" by African progressives and LGBTQIA+ activists who accuse them of **anti-democratic divisionism**. C-FAM has long used the UN as a convening body to organize conservative opposition to LGBTQIA+ rights, gender identity, and abortion, hosting meetings with African and other government leaders. C-FAM's director, Austin Ruse, is an avidly antigay Catholic militant and open member of **Opus Dei** helping to lead Project 2025's anti-gender advocacy. (see our related article, *Follow the Money*, on who is funding Project 2025).

For a fuller discussion of the possible global impact of Project 2025 on HIV, PEPFAR, LGBTQ+ organizations, and global health, look for our forthcoming paper, *How Project 2025's Global Agenda Threatens HIV and Global Health Programs*.

<sup>ii</sup> Ibid. Uganda report.

<sup>&</sup>lt;sup>i</sup> Missionaries of Hate: U.S. Christian Right Group Enflames Homophobia in Uganda | Global Health Justice (washington.edu). See also fall 2023 briefing papers on LGBTQ+ criminalization in Ghana, Kenya, Uganda, and Tanzania at **About 1 — African Services Committee**.

<sup>&</sup>lt;sup>iii</sup> Ibid. See Uganda, Tanzania reports.