



DONALD J. TRUMP
AND HIS ADMINISTRATION

PRESIDENTIAL RECORD COMPARISON FOR THE 2024 ELECTION

This document compares actions taken by the Trump and Biden administrations on issues that matter to faith voters.



JOSEPH R. BIDEN
AND HIS ADMINISTRATION

ORIGINALIST JUDGES

Appointed originalist judges to the U.S. Supreme Court (**Gorsuch, Kavanaugh, and Barrett**) and to lower courts; opposed court-packing.¹

Appointed progressive judges to the U.S. Supreme Court (**Jackson**) and to lower courts; explored court-packing.²

RELIGIOUS FREEDOM

Supported religious freedom in key **U.S. Supreme Court cases**; issued **rules** protecting religious freedom for religious organizations, students, and healthcare professionals; created a **Religious Liberty Taskforce** at the DOJ; advocated for the **repeal of the Johnson Amendment**.³

Opposed religious freedom in most **U.S. Supreme Court cases**; **reversed Trump-era rules** protecting religious freedom for religious organizations and healthcare professionals; celebrated **Transgender Day of Visibility** on Easter Sunday.⁴

FREE SPEECH

Issued an **executive order** to promote and protect free speech; supported free speech in key **U.S. Supreme Court cases**.⁵

Created a **Disinformation Governance Board**; had the **FBI investigate parents/Catholics**; opposed free speech in key **U.S. Supreme Court cases**.⁶

RELIGIOUS FAMILIES

Supported **traditional marriage**; **protected faith-based adoption & foster care** providers; **supported religious school choice**.⁷

Supported **same-sex marriage**; **removed Trump-era protections** for faith-based adoption & foster care providers; issued rules that can ban people of faith as foster parents; **opposed religious school choice**.⁸

LIFE

Supported **overturning Roe v. Wade**; supported **banning late-term abortions**; provided religious and moral **exemptions from the contraceptive mandate**; **restricted taxpayer funding for abortion**; allowed pro-life pregnancy centers to receive federal funds; was the first American President to **speak at the March for Life**.⁹

Supported **codifying Roe v. Wade**; supported **upholding late-term abortions**; sought to **reverse Trump-era exemptions** from the contraceptive mandate; **reinstated taxpayer funding for abortion**; restricted pro-life pregnancy centers from receiving federal funds; made **abortion pills available by mail**.¹⁰

LGBT ISSUES

Supported the **traditional definition of "sex"**; **opposed the Equality Act**; supported keeping **men out of women's sports**; protected privacy and safety for female students; banned U.S. embassies from flying LGBT flags.¹¹

Redefined "sex" to include sexual orientation and gender identity; **supported the Equality Act**; supported **men in women's sports**; supported the **gender transition of children**; authorized U.S. embassies flying LGBT flags; **lit the White House in rainbow colors**.¹²

MILITARY

Strengthened **military religious liberty**; permitted **religious symbols** at military facilities; **disallowed service by military personnel with gender dysphoria**.¹³

Issued a military **COVID-19 vaccine mandate without any religious exemptions**; required VA health facilities to provide abortion services; **allowed service by military personnel with gender dysphoria**.¹⁴

ISRAEL

Recognized **Jerusalem as Israel's capital**; moved the **U.S. Embassy to Jerusalem**; fought attacks on Israel at the UN; negotiated the **Abraham Accords**; ended all aid to Palestine; **withdrew from the Iran deal**.¹⁵

Gave **half a billion dollars in aid to Palestine**; pledged to stand by Israel after the October 7 Hamas attack; placed unprecedented conditions on military aid to Israel; **called for Israel to end the war**; released **\$10 billion in funds to Iran**.¹⁶

1. David Gans & J. Craig Williams, *SCOTUS & Originalism*, Legal Talk Network (Dec. 23, 2022); Jeffrey F. Addicott, *Reshaping American Jurisprudence in the Trump Era - The Rise of Originalist Judges*, 55 Cal. W. L. Rev. 341 (2019); Ginger Gibson, *Trump Rejects Idea of Expanding U.S. Supreme Court*, Reuters (Mar. 19, 2019).
2. Sarah Isgur & Dean Jens, *Opinion | Using Math to Analyze the Supreme Court Reveals an Intriguing Pattern*, Politico (June 2, 2024); Thomas Jipping, *President Biden's Judicial Appointments: A First-Year Analysis*, Heritage Foundation (Mar. 22, 2022); Presidential Commission on the Supreme Court of the United States, *Final Report* (Dec. 2021).
3. *E.g.*, Brief for the United States as Amicus Curiae, *Am. Legion v. Am. Humanist Ass'n*, 588 U.S. 29 (2019); Brief for the United States as Amicus Curiae, *Fulton v. City of Philadelphia*, 593 U.S. 522 (2021); Equal Treatment Rule, 85 C.F.R. § 82037 (2020); Free Inquiry Rule, 85 FR § 59916 (2020); Healthcare Conscience Rule, 84 FR § 23170 (2019); U.S. Department of Justice, *Attorney General Sessions Delivers Remarks at the Department of Justice's Religious Liberty Summit* (July 30, 2018); Mark Landler & Laurie Goodstein, *Trump Vows to 'Destroy' Law Banning Political Endorsements by Churches*, New York Times (Feb. 2, 2017).
4. *E.g.*, Brief for the Respondent, *Groff v. DeJoy*, 600 U.S. 447 (2023); *but see* Brief for the United States as Amicus Curiae, *Shurtleff v. City of Boston*, 596 U.S. 243 (2022); 89 FR § 15671 (2024); 89 FR § 2078 (2024); White House, *A Proclamation on Transgender Day of Visibility 2024* (Mar. 29, 2024).
5. *EO 13798: Promoting Free Speech and Religious Liberty* (May 4, 2017); *e.g.*, Brief for the United States, *Masterpiece Cakeshop v. Colorado C.R. Comm'n*, 584 U.S. 617 (2018).
6. U.S. Department of Homeland Security, *Disinformation Governance Board (DGB)* (last accessed July 2, 2024); FBI Richmond, *Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology...* (Jan. 23, 2023); DOJ Office of the Attorney General, *Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, & Staff* (Oct. 4, 2021); *e.g.*, Brief for the United States, *303 Creative v. Elenis*, 600 U.S. 570 (2023).
7. Timothy Cama, *Trump: 'I'm for Traditional Marriage'*, The Hill (June 28, 2015); White House, *Executive Order on Strengthening the Child Welfare System for America's Children* (June 24, 2020); HHS Grants Rule, 86 FR § 2257 (2021); Brief for the United States as Amicus Curiae, *Espinoza v. Montana Department of Revenue*, 591 U.S. 464 (2020).
8. White House, *Remarks by President Biden and Vice President Harris at Signing of H.R. 8404, the Respect for Marriage Act* (Dec. 13, 2022); Administration for Children and Families, *HHS Takes Action to Prevent Discrimination and Strengthen Civil Rights* (Nov. 18, 2021); Foster Care Placement Rule, 89 FR § 34818 (2024); Brief for the United States as Amicus Curiae, *Carson v. Makin*, 596 U.S. 767 (2022).
9. CBS News, *Trump Says He's Proud of Role in Overturning Roe v. Wade*, CBS News (April 8, 2024); White House, *Remarks by President Trump in State of the Union Address* (Feb. 4, 2020); Exemptions Rule, 83 FR § 57592 (2018); Title X Rule, 84 FR § 7714 (2019); White House, *Remarks by President Trump at the 47th Annual March for Life* (Jan. 24, 2020).
10. White House, *Remarks by President Biden on Protecting Access to Reproductive Health Care Services* (July 8, 2022); White House, *Statement from President Biden on the Senate Vote on the Women's Healthcare Protection Act* (May 11, 2022); Proposed Rule, 88 FR § 7236 (2023); 86 FR § 56144 (2021); U.S. Food and Drug Administration, *Information about Mifepristone for Medical Termination of Pregnancy Through Ten Weeks Gestation* (last accessed July 2, 2024).
11. Brief for the United States as Amicus Curiae, *Bostock v. Clayton County, Georgia*, 590 U.S. 644 (2020); Tim Fitzsimons, *Trump Opposes Federal LGBTQ Nondiscrimination Bill Citing 'Poison Pills'*, NBC News (May 14, 2019); U.S. Department of Education, *Memorandum for Kimberly M. Richey* (Jan. 8, 2021); U.S. DOJ Civil Rights Division and U.S. Department of Education Office for Civil Rights, *Dear Colleague Letter* (Feb. 22, 2017); Josh Lederman, *Trump Admin Tells U.S. Embassies They Can't Fly Pride Flag on Flagpoles*, NBC News (June 7, 2019).
12. *E.g.*, *EO 13988*, 86 FR § 7023 (2021); White House, *Remarks by President Biden in Address to a Joint Session of Congress* (Apr. 29, 2021); Proposed Title IX Athletics Rule, 88 FR § 22860 (2024); U.S. DOJ Civil Rights Division, *Letter to State Attorney Generals* (Mar. 31, 2022); @POTUS, *Twitter/X* (Mar. 31, 2022, 8:04 am); Robbie Gramer & Chloe Hadavas, *Blinken Will Allow U.S. Embassies to Fly Pride Flag*, Foreign Policy (Apr. 22, 2021); @WhiteHouse, *Twitter/X* (Dec. 13, 2022, 7:30 pm).
13. U.S. Department of Defense, *DoD Instruction 1300.17: Religious Liberty in the Military Services* (Sept. 1, 2020); U.S. Department of Veterans Affairs, *VA Overhauls Religious Symbol Policies to Protect Religious Liberty* (July 3, 2019); U.S. Department of Defense, *DOD Official: Updated Transgender Policy Based on Treating All With Dignity* (Apr. 12, 2019).
14. U.S. Department of Defense, *Memorandum on Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members* (Aug. 24, 2021); Jorge Gomez, *First Liberty Sues Dept. of Defense for Violating Constitutional Rights of U.S. Navy SEALs*, First Liberty Institute (Nov. 9, 2021); Reproductive Health Services, 89 FR § 15451 (Mar. 4, 2024); *Executive Order 14004: Enabling All Qualified Americans To Serve Their Country in Uniform*, 86 FR § 7471 (Jan. 28, 2021).
15. White House, *Statement by Former President Trump on Jerusalem* (Dec. 7, 2020); White House, *President Donald J. Trump Keeps His Promise To Open U.S. Embassy In Jerusalem, Israel* (May 14, 2018); White House, *President Donald J. Trump Stands by America's Cherished Ally Israel* (March 25, 2019); White House, *President Donald J. Trump Is Standing Up For Human Rights At The U.N.* (June 21, 2018); U.S. Department of State, *The Abraham Accords* (Sept. 15, 2020); Yolande Knell, *US Stops All Aid to Palestine in West Bank and Gaza*, BBC (Feb. 1, 2019); White House, *President Donald J. Trump is Ending United States Participation in an Unacceptable Iran Deal* (May 8, 2018).
16. U.S. State Department, *U.S. Support for the Palestinian People* (Mar. 26, 2022); White House, *Remarks by President Biden on the Terrorist Attacks in Israel* (Oct. 10, 2023); White House, *National Security Memorandum on Safeguards and Accountability With Respect to Transferred Defense Articles and Defense Services* (Feb. 8, 2024); Shannon K. Crawford, *Biden Administration Steps Up Pressure on Israel over Cease-Fire...*, ABC News (May 9, 2024); Editorial Board, *\$10 Billion More for Iran*, Wall Street Journal (Nov. 16, 2023).



Visit First Liberty's Election Resource Center at [FirstLiberty.org/Elections](https://www.FirstLiberty.org/Elections)

First Liberty Institute is a nonprofit, charitable organization under section 501(c)(3) of the Internal Revenue Code. It does not endorse or participate in any campaign activity for or against political candidates. The content of this publication is intended to be used for informational, educational, and reference purposes only.

972.941.4444 | info@firstliberty.org | www.FirstLiberty.org