

July 14, 2008

Dear Senator:

We, the undersigned organizations, write to voice our strong support for Section 305 of the Tom Lantos & Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (S. 2731). This important provision removes the statute which permanently bans people living with HIV/AIDS from entering the U.S. or obtaining legal permanent residency and restores authority to HHS to determine, based on sound medical and public health reasoning, whether HIV status should be grounds for inadmissibility. **We strongly urge you to oppose any attempt to remove this critical provision from the legislation.**

Congress first adopted this policy in 1987 through an amendment directing the Department of Health and Human Services (HHS) to add HIV to the list of medical conditions barring visitors and immigrants to the United States. In the early 1990's, when, after careful consideration of the public health consequences, HHS sought to loosen these restrictions, Congress reacted by codifying the ban in our nation's immigration laws. To this day, HIV is the only medical condition listed in the Immigration and Nationality Act as a basis for inadmissibility. By contrast, the admissibility status for any other disease is left to the discretion of the Secretary of Health and Human Services, based upon the risk the illness poses to the public health.

This draconian policy has negative consequences for our nation. Health care professionals, researchers, and other exceptionally talented people have been blocked from the United States. Since 1993, the International Conference on AIDS has not been held on U.S. soil due to this policy.

In addition, the United States is out of step with the international community and most other countries. The International Guidelines on HIV/AIDS and Human Rights, produced jointly by the Office of the United Nations High Commissioner for Human Rights and UNAIDS, state that "there is no public health rationale for restricting liberty of movement or choice of residence on the grounds of HIV status." In June of this year, UN Secretary General Ban Ki-moon called for an end to discriminatory travel restrictions based on HIV status. The U.S. is one of only 12 countries – the others being Armenia, Colombia, Iraq, Oman, Qatar, Russia, Saudi Arabia, Solomon Islands, South Korea, Sudan, and Yemen – to have such harsh travel restrictions on people living with HIV/AIDS.

Removing this discriminatory ban from our nation's statutes is a crucial step towards strengthening our nation's leadership in the global fight against HIV/AIDS – an important goal of the PEPFAR program. We understand that the manager's amendment includes an offset for this provision ensuring that no additional costs will be associated with its inclusion in the legislation.

**We strongly urge you to reject discrimination and stigma towards people living with HIV/AIDS by ensuring that this important provision survives Senate consideration of PEPFAR reauthorization fully intact.**

Sincerely,

ACT UP, Philadelphia, Paris  
Alexian Brothers Bonaventure House  
African American Health and Social Services  
African Services Committee  
AIDES (France)  
AIDS Action  
AIDS Alliance for Children, Youth & Families  
AIDS Alliance for Faith and Health  
AIDS Charitable Trust of New Mexico  
AIDS Foundation of Chicago  
The AIDS Institute  
AIDS Project Los Angeles  
AIDS Services In Asian Communities  
AIDS Services of Austin  
AIDS Task Force of Greater Cleveland  
AIDS Treatment Activists Coalition  
AIDS Vaccine Advocacy Coalition  
Alliance for Microbicide Development  
American Academy of HIV Medicine  
American Civil Liberties Union  
American Jewish World Service  
American Medical Students Association  
American Psychological Association  
ANERELA+  
Austin Health Center of Cook County  
Australian Federation of AIDS Organizations  
Being Alive People with HIV/AIDS Action Coalition  
BIENESTAR  
BiNET USA  
Boston May Day Coalition  
Boston Rosa Parks Human Rights Coalition  
Breakthrough: building human rights culture  
Bronx AIDS Services  
Cable Positive  
California Council of Churches IMPACT  
CARE USA  
Cascade AIDS Project  
The Center for HIV Law and Policy  
Central Illinois FRIENDS of People with AIDS  
Central Louisiana AIDS Support Services, Inc.

Charleston AIDS Network  
Chicago Foundation for Women  
Chicago House and Social Service Agency  
Clinicas De Salud del Pueblo, Inc.  
Colorado Anti-Violence Project  
Coloradans for Immigrant Rights  
Compass, Inc.  
Emerson Rojas-Project Coordinator  
Empire Justice Center  
Empire State Coalition of Youth and Family Services  
Eternal Hope Community Development Corporation, Inc.  
Gay and Lesbian Latino AIDS Education Initiative  
Gay Men's Health Crisis  
Global Action for Children  
Global AIDS Alliance  
Global Campaign for Microbicides  
Global Fight Against AIDS, TB and Malaria  
Global Network of People Living with HIV/AIDS  
Global Youth Coalition on HIV/AIDS  
Haitian Centers Council, Inc.  
Health GAP (Global Access Project), New York City  
Hema Diagnostic Systems  
HIV/AIDS Legal Services Alliance  
HIV/AIDS Services for African Americans in Alaska  
HIVictorious  
HIV Law Project  
HIV Medicine Association  
Hope and Health Center of Central Florida  
House of Joseph II  
Housing Works  
Human Rights Campaign  
Hyacinth AIDS Foundation  
Immigrant Law Center of Minnesota  
Immigration Equality  
Immigration Law Project, Fordham University School of Law  
In This Together, Inc.  
INdetectable  
Interaction Law  
International AIDS Empowerment  
International AIDS Society  
International Community of Women Living with HIV and AIDS  
INERELA+  
Integrated Minority AIDS Network, Inc.  
International Rectal Microbicide Advocates  
International Women's Health Coalition  
Kentucky Coalition for Immigrant and Refugee Rights

Kentucky Equal Justice Center  
Kentucky HIV/AIDS Advocacy Action Group  
Khush DC  
Jamaica Plain Rapid Response Network  
Lambda Legal  
Latino Commission on AIDS  
Lexington Fairness  
Liberty Research Group  
LIFE Foundation  
Lifelong AIDS Alliance  
Lowcountry AIDS Project  
Mendocino County AIDS Volunteer Network  
Metrolina AIDS Project  
Michigan Equality  
Michigan HIV/AIDS Council  
The Ministry of Caring  
My Brothaz Home, Inc.  
National Alliance of State and Territorial AIDS Directors  
National Association of People With AIDS  
National Association of People With AIDS (Nepal)  
National Center for Transgender Equality  
National Council of Jewish Women  
National Health Law Program  
National Immigrant Justice Center  
National Immigration Law Center  
National Immigration Project of the National Lawyers Guild  
National Latina Institute for Reproductive Health  
National Minority AIDS Council  
New Mexico AIDS Services  
New York AIDS Coalition  
New York Trans Rights Organizations  
Night Ministry (Chicago, IL)  
Oklahoma State University Physicians  
OneAmerica  
Open Door Clinic  
Open Society Policy Center  
P.A.C.- Positive Advocacy Coalition  
Parents, Families and Friends of Lesbians and Gays  
Pediatric AIDS Chicago Prevention Initiative  
Physicians for Human Rights  
Pierce County AIDS Foundation  
Political Asylum Immigration Representation Project  
Political Asylum Project of Austin  
Power Inside, Baltimore, Maryland  
POZ Magazine

Project Inform  
Project SMART  
Public Health Division, City of Portland Maine  
Queer People's Health Collective  
RESULTS USA  
Richard's Place  
SafeGuards LGBT Health Resource Center  
San Diego Volunteer Lawyer Program, Inc.  
San Francisco AIDS Foundation  
San Mateo County AIDS Program Community Board  
Search for a Cure  
Sexuality Information and Education Council of the United States  
SisterLove, Inc.  
South Asian Americans Leading Together  
South Asian Network  
Southwest Community Services, Inc.  
Spokane AIDS Network  
Tahirih Justice Center  
Terrence Higgins Trust  
Title II Community AIDS National Network  
Treatment Action Group  
Triad Health Project  
United Methodist Church, General Board of Church & Society  
Vermont CARES  
Victorian AIDS Council  
Voices of Hagar HIV/AIDS Health Ministry  
The Wall Las Memorias  
West Alabama American Red Cross  
West O'ahu Hope For A Cure Foundation  
Weingart Center Association  
Whitman Walker Clinic  
Who's Positive  
Women Organized to Respond to Life-Threatening Disease  
The Women's Center  
The Woodhull Freedom Foundation  
YWCA USA