February 11, 2009

The Honorable Barack Obama The White House 1600 Pennsylvania Avenue NW Washington, DC 20500

Re: Removal of HIV-related travel and immigration restrictions

Dear President Obama.

We write to urge you to order the Department of Health and Human Services ("HHS") to publish a proposed rule to remove HIV from the HHS list of communicable diseases of public health significance as soon as possible.

As a former co-sponsor of the President's Emergency Plan for AIDS Relief ("PEPFAR"), we are sure you are aware that this landmark legislation included a provision which struck the statutory language that required HIV to be designated a communicable disease of public health significance. In response to concerns about the potential increased costs to the U.S. health care system of removing HIV from the list, PEPFAR also raised future visa fees as an offset. On July 30, 2008, President Bush signed PEPFAR into law completing the first step in a two step process to end the ban.

However, as long as HIV remains on the HHS list of "communicable diseases of public health significance," non-citizens living with HIV are barred from visiting or immigrating to the U.S. You have publicly stated your support for lifting the ban¹ and we ask you to take immediate action to do so and thus to end the stigma against people with HIV and treat it like all other routine, chronic diseases.

As HIV and immigration organizations, we call upon your Administration to carry out the will of Congress in lifting the ban. The ban on travel and immigration for non-citizens with HIV is anachronistic, discriminatory and undermines public health. As HHS recognized when it amended the definition of "communicable diseases" in October 2008, the American public needs protection from airborne, quarantinable diseases, not from viruses which cannot be casually transmitted such as HIV.

We applaud your commitment to moving this regulatory action forward expeditiously. The world is watching to see this ruling put into place. On August 3, 2008 at the International AIDS conference in Mexico City, United Nations Secretary General Ban Ki-Moon, UNAIDS executive director Peter Piot, and International AIDS Society president Pedro Cahn all welcomed the action taken by the United States government towards lifting restrictions on entry for people living with HIV. It is time for HHS to take the final step and lift the ban.

Sincerely,

ACT UP Philadelphia

¹Question 10, http://www.aidsvote.org/obama.

African Services Committee

Aid For AIDS International

AIDS Action Council

AIDS Community Research Initiative of America (ACRIA)

AIDS Foundation of Chicago

The AIDS Institute

AIDS Legal Council of Chicago

AIDS Legal Referral Panel

AIDS Legal Services - Law Foundation of Silicon Valley

AIDS Project Los Angeles

AIDS Treatment Activists Coalition

AIDS Vaccine Advocacy Coalition (AVAC)

Albany Damien Center, Inc.

Alliance for Microbicide Development

American Civil Liberties Union

American Friends Service Committee

American Gateways

American Immigration Lawyers Association

American Immigration Management, Inc.

API Equality- LA

API HIV/AIDS Caucus of Los Angeles County

APICHA

Asia & Pacific Islander American Health Forum

The Asia Pacific Coalition on Male Sexual Health (APCOM)

Asian Pacific AIDS Intervention Team

Asian Pacific Islander PRIDE Council

Asian Pacific American Legal Center of Southern California

AVOL (AIDS Volunteers, Inc.)

Bellevue/NYU Program for Survivors of Torture

The Benedictine Order of St. John the Beloved

Berd & Klauss, PLLC

BIENESTAR

Breakthrough: building human rights culture

Bronx AIDS Services, Inc.

Cambridge Health Alliance- Community Affairs

Casa de Esperanza

Capital Area Immigrants' Rights Coalition

Catholic Charities AIDS Services, Albany, NY

Center for Constitutional Rights

The Center for Health Policy and Innovation, Canada

The Center for HIV Law and Policy

The Center for Women Policy Studies

Cicatelli Associates Inc.

Community HIV/Hepatitis Advocates of Iowa Network (CHAIN)

CYRUS D. MEHTA & ASSOCIATES, P.L.L.C.

The Danish AIDS Foundation, Denmark

Drug Development Committee

Dutch AIDS Foundation

Dutch HIV Association

East Bay Community Law Center

Elizabeth Glaser Pediatric AIDS Foundation

Empire Justice Center

European AIDS Treatment Group

Family Care Network - Children's Hospital & Research Center Oakland

Florence Immigrant and Refugee Rights Project

Florida Immigrant Advocacy Center

Foundation for Integrative AIDS Research (FIAR)

Frey Law Office

Gay Men's Health Crisis

Georgetown Law Human Rights Action

Global AIDS Alliance

The Global Campaign for Microbicides

Global Network of People Living with HIV (GNP+)

Harlem Community Law Office

Harlem United Community AIDS Center, Inc.

Hastings College PHIVE-O (Peer HIV Education Organization)

Health GAP, NY

HIV/AIDS Services for African Americans in Alaska

HIV & AIDS Legal Services Alliance

HIV and Hepatitis.com

HIV Health and Human Services Planning Council of New York

HIV Law Project

HIV Medicine Association

HIVictorious

HIV-Sweden

Homeless Health Care Los Angeles

Housing Works, Inc.

Human Rights First

Hyacinth AIDS Foundation

Iandoli & Desai, P.C

ICW East Africa & HIV Collaborative Fund for Women & Families in Africa

Idaho Community Action Network

Illinois Coalition for Immigrant and Refugee Rights

Immigrant Law Center of Minnesota

Immigrant Legal Advocacy Project

The Immigrant Legal Resource Center

Immigration Equality

International AIDS Empowerment, El Paso, TX

International Community of Women Living with HIV/AIDS

International Women's Health Coalition

JRI Health/Sidney Borum Health Center

The Kentucky Coalition for Immigrant and Refugee Rights

Kentucky Equal Justice Center

LA Gay Center

Lambda Legal

Latino Commission on AIDS

Legacy Community Health Services.

Legal Action Center

Legal Aid Service of Collier County

Legal Aid Society of Palm Beach County, Inc.

Maggio & Kattar

Marin AIDS Project

Minnesota AIDS Project

Multicultural AIDS Coalition

National Asian Pacific American Women's Forum

National Association of Social Workers

National Council of Jewish Women

National Immigrant Justice Center

National Immigration Law Center

National Immigration Project of the National Lawyers Guild

National Korean American Service & Education Consortium (NAKASEC)

National Women's Health Network

Naz Foundation International

National Center for Lesbian Rights Network of Zimbabwean Positive Women (NZPW+)

Northern Manhattan Perinatal Partnership, Inc

Northwest Immigrant Rights Project

Ohio AIDS Coalition

Okaloosa AIDS Support and Informational Services, Inc.

Owensboro AIDS Taskforce

Partnership Project

People Living With HIV/AIDS Victoria Inc (Australia)

Physicians for Human Rights

Program for Wellness Restoration

Projecte dels NOMS-Hispanosida

Project Inform

Raks Thai Foundation

The River Fund

San Diego Human Dignity Foundation

San Diego Volunteer Lawyer Program, Inc.

San Francisco AIDS Foundation

Siskind Susser, PC

South Asian Americans Leading Together (SAALT)

Spokane AIDS Network

STI AIDS Netherlands

STOP AIDS NOW!

Strength In Numbers, Asbury Park NJ Chapter

The Sylvia Rivera Law Project

Terrence Higgins Trust

Title II Community AIDS National Network

Transgender Law Center

U.S. Positive Women's Network

United Methodist Church, General Board of Church & Society

University of Maryland School of Law's Immigration Clinic

University of Tulsa College of Law- Boesche Legal Clinic - Immigrant Rights Project

Vermont People with AIDS Coalition

Victory Programs Inc of Massachusetts

Whitman-Walker Clinic

Women Organized to Respond to Life-threatening Diseases (WORLD)

The Woodhull Freedom Foundation

World Organization for Human Rights

Wren & Gateways Law Group, LLC