

**NEW YORK  
CITY BAR**

**COMMITTEE ON AIDS**

June 16, 2008

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**VIA E-MAIL AND FACSIMILE**

Senator John Kerry  
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**Re: S.2486**

**HIV Nondiscrimination in Travel and Immigration Act of 2007**

KAMILLA SJÖDIN  
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Dear Senator Kerry:

We write to you to express the support of the Association of the Bar of the City of New York ("the Association") regarding the above-referenced bill that you and Senator Gordon Smith recently introduced to end unnecessary discrimination and stigma against HIV positive visitors and travelers to the U.S. As written, the HIV Nondiscrimination in Travel and Immigration Act of 2007 would remove language in the Immigration and Nationality Act ("INA") designating HIV-positive individuals as inadmissible and return authority over whether HIV should be designated as a "disease of public health significance" to the Secretary of Health and Human Services.

Since its founding in 1870, the Association of the Bar of the City of New York has grown to over 23,000 members who work to promote the public good by advocating for political, legal and social reform. This letter was drafted by the Association's Special Committee on AIDS, experts with comprehensive knowledge of HIV-related law and policy issues. As you know, pursuant to the INA Section 212(a)(1)(A)(i), any foreign national who is infected with HIV is inadmissible to the United States. The Association has historically opposed any inadmissibility provision that singles out foreign nationals living with HIV and treats them differently than individuals living with similar diseases. Unfortunately, current law serves to reinforce the perception that the United States' immigration policy regarding people with HIV is not based upon informed public health policy, but instead upon fear and ignorance.

The U.S. government must not perpetuate HIV-related stigma and shame, as these phenomena continue to be primary contributors to the spread of the illness.<sup>1</sup> Therefore, we support S.2486, and thank you for taking steps to end the unfair and unnecessarily discriminatory treatment of HIV-positive foreign nationals.

Sincerely,



Rebecca A. Schleifer  
Committee Co-Chair

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<sup>1</sup> See STIGMA AND SHAME PREJUDICE, FEAR AND STIGMA CONTINUE TO EXCLUDE PEOPLE LIVING WITH AIDS FROM THE MAINSTREAM. MAC AIDS Fund (2007), available at [www.macaidsfund.org/news/pr\\_rl\\_global\\_study.html](http://www.macaidsfund.org/news/pr_rl_global_study.html).