

Via Fed Ex: Tracking No. 7993 6297 2380

Date: August 12, 2008

Secretary Mike Leavitt  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Leavitt,

Last week, President Bush signed a historic piece of legislation, the reauthorization of the President's Emergency Plan for AIDS Relief. This legislation solidifies the United States' position as the world leader in the fight against the AIDS pandemic. It also will remove an anachronistic provision of the Immigration and Nationality Act ("INA") which statutorily declared all non-citizens with HIV inadmissible to the United States. With the end of the statutory ban on HIV, the Department of Health and Human Services ("HHS") now has the authority to end the HIV ban on travel and immigration.

We write to urge you to act swiftly to remove HIV from the list of "communicable diseases of public health significance." As you are no doubt aware, in 1991 and again in 1993, HHS issued proposed regulations seeking to remove HIV along with all other illnesses except for active tuberculosis from its list. HHS was poised to issue final regulations to this effect when Congress amended the INA in 1993 to revoke HHS's discretion to remove HIV from the list.

As HHS determined fifteen years ago, HIV is not transmitted through casual contact and as such there is no public health reason to exclude non-citizens who carry the virus. Recent years have seen extraordinary advances in the treatment of HIV that have transformed HIV disease to a manageable, chronic illness for many.

As the President stated before signing the bill, "I want to speak directly to those around the world who have, or think they may have, HIV: A positive diagnosis does not have to be a reason for shame. So don't let shame keep you from getting tested or treated."

We could not agree more. It is time for the United States to end this vestige of discrimination and stigma against people living with HIV and we call on HHS to carry out the will of Congress and the President and remove HIV from the list immediately.

Sincerely,

1. Advocates for Youth
2. African Services Committee
3. AID FOR AIDS International
4. AIDS Alliance for Children, Youth & Families
5. AIDS Action Council
6. AIDS Charitable Trust of New Mexico
7. AIDS Coalition to Unleash Power (ACT UP Philadelphia)

8. AIDS Community Research Initiative of America
9. AIDS Foundation of Chicago
10. The AIDS Institute
11. AIDS Legal Referral Panel
12. AIDS Legal Council of Chicago
13. AIDS Project Los Angeles (APLA)
14. AIDS Services Foundation Orange County
15. AIDS Taskforce of Greater Cleveland
16. AIDS Treatment Activists Coalition
17. AIDS Vaccine Advocacy Coalition (AVAC)
18. AIDS Volunteers, Inc (AVOL)
19. Alameda County Office of AIDS Administration
20. Albany Damien Center
21. American Academy of HIV Medicine
22. American-Arab Anti-Discrimination Committee
23. American Civil Liberties Union
24. American Immigration Lawyers Association
25. American Jewish World Service
26. American Medical Student Association
27. American Psychological Association
28. Asian American Justice Center
29. Asian and Pacific Islander American Health Forum
30. Asian and Pacific Islander Wellness Center
31. Asian and Pacific Islander Coalition on HIV/AIDS (APICHA)
32. Asian Law Caucus
33. Asian Pacific American Legal Center (APALC)
34. Asian Pacific AIDS Intervention Team, L.A.
35. Asian Pacific Islander HIV/AIDS Caucus of Los Angeles County
36. Asian Youth Center
37. Association of Nutrition Services Agencies
38. Benedictine Order of St. John the Beloved
39. Berd & Klauss, PLLC
40. BIENESTAR
41. The Boalt Hall Committee for Human Rights at UC Berkeley School of Law
42. Breakthrough
43. The Bridge Inc.
44. Cambridge Health Alliance
45. Casa de Esperanza
46. Cascade AIDS Project
47. Catholics for Choice
48. Catholic Charities AIDS Services, Albany
49. Center for Health and Gender Equity (CHANGE)
50. Center for HIV Law and Policy
51. Center for Women Policy Studies
52. Church World Service
53. Cicatelli Associates Inc
54. Communities Advocating Emergency AIDS Relief (CAEAR Coalition)
55. Community HIV/AIDS Mobilization Project (CHAMP)
56. Community HIV/Hepatitis Advocates of Iowa Network
57. Community 4 immigrant rights
58. Cyrus D. Mehta & Associates, PLLC
59. East Bay Community Law Center

60. Ecumenical Ministries of Oregon
61. Elizabeth Glaser Pediatric AIDS Foundation
62. Empire Justice Center
63. Eureka Sisters
64. Florida Immigrant Advocacy Center, Inc.
65. Florida Coastal Immigration Clinic
66. Foundation for Integrative AIDS Research
67. The Foundation for AIDS Research (amfAR)
68. Frannie Peabody Center
69. Frey Law Office
70. Friends of the Global Fight Against AIDS, Tuberculosis and Malaria
71. Fuerza Mundial, Collaborative
72. Gay Men's Health Crisis (GMHC)
73. Georgetown Law Human Rights Action (GHRA)
74. Global Access Project (GAP)
75. Global AIDS Alliance
76. Global Campaign for Microbicides
77. The Global Health Council
78. GROUP Ministries, Inc.
79. Harlem United Community AIDS Center
80. Hastings College PHIVE-O
81. Health GAP (Global Access Project), New York City
82. Hispanic Federation
83. Housing Works
84. HIV ACCESS
85. HIV and AIDS Legal Services Alliance
86. HIV and Hepatitis.com
87. HIV Law Project
88. HIV Medicine Association
89. HIVictorious, Inc
90. Homeless Health Care Los Angeles
91. Human Rights Campaign
92. Human Rights First
93. Humboldt County AIDS Task Force
94. Hyacinth AIDS Foundation
95. Idaho Community Action Network (ICAN)
96. Illinois Coalition for Immigrant and Refugee Rights (ICIRR)
97. The Immigrant Legal Resource Center in San Francisco.
98. Immigrant Law Center of Minnesota
99. Immigrant Legal Advocacy Project (ILAP)
100. The Immigrant Legal Resource Center in San Francisco
101. Immigration Equality
102. International AIDS Empowerment, TX
103. International AIDS Society
104. International Center for Research on Women
105. International Rectal Microbicide Advocates
106. International Women's Health Coalition
107. Jamaica Business Council on HIV&AIDS (JaBCHA)
108. Kentucky Coalition for Immigrant and Refugee Rights (KCIRR)
109. Kentucky Domestic Violence Association
110. Los Angeles Gay & Lesbian Center
111. Lambda Legal

112. Latino Commission on AIDS
113. Law Offices of Iandoli & Associates, P.C.
114. Legacy Community Health Services (Houston, TX)
115. Legal Action Center
116. The Legal Aid Society (NYC)
117. The Lesbian, Gay, Bisexual & Transgender Community Center
118. Life Line Plus Foundation
119. Lifelong AIDS Alliance (Seattle, WA)
120. Maggio & Kattar
121. Marin AIDS Project
122. Mennonite Central Committee U.S. Washington Office
123. Michigan Positive Action Coalition (MI-POZ)
124. The Minnesota AIDS Project
125. National Alliance of State and Territorial AIDS Directors
126. National Asian Pacific American Women's Forum
127. National Association of Social Workers
128. National Center for Lesbian Rights
129. National Council of Jewish Women
130. National Health Law Program
131. National Immigrant Justice Center
132. National Immigration Law Center (NILC)
133. National Immigration Project of the National Lawyers Guild
134. National Korean American Service & Education Consortium (NAKASEC)
135. National Latina Institute for Reproductive Health
136. National Women's Health Network
137. New York AIDS Coalition
138. New York Immigration Coalition
139. North Coast AIDS Project
140. Northwest Immigrant Rights Project
141. Northern Manhattan Perinatal Partnership
142. Ohio AIDS Coalition
143. Okalosa AIDS Support and Informational Services, Inc. (OASIS)
144. Open Society Institute
145. Orange County Asian Pacific Islander AIDS Action Network
146. Orlando Health
147. Our House of Portland
148. Owensboro AIDS Taskforce, Inc
149. Pangaea Global AIDS Foundation
150. Partnership Project
151. Parents, Families, and Friends of Lesbians and Gays (PFLAG) Hastings  
Nebraska
152. Physicians for Human Rights, USA
- Political Asylum/ Immigration Representation Project
153. Political Asylum/Immigration Representation Project
154. Program for Wellness Restoration
155. Project Inform
156. Queer Humboldt
157. Raks Thai Foundation
158. San Diego Human Dignity Foundation
159. San Diego Volunteer Lawyer Program, Inc.
160. San Francisco AIDS Foundation
161. Scott D. Pollock & Associates, P.C.

162. Siskind Susser, PC
163. Sister Love Inc
164. South Asian Americans Leading Together
165. Southwest Center for HIV/AIDS
166. Spokane AIDS Network
167. Student Global AIDS Campaign
168. The Sylvia Rivera Law Project
169. TII CANN - Title II Community AIDS National Network
170. Terrence Higgins Trust (THT)
171. Test Positive Aware Network
172. Tororo Forum for People Living with HIV/AIDS Networks (TOFPHANET) in  
Tororo Uganda.
173. Trans Equality Los Angeles
174. Transgender Law Center
175. Treatment Action Group
176. Tri-State Alliance
177. Tulsa College of Law – Immigrant Rights Project
178. United Methodist Church, General Board of Church & Society
179. Urban Coalition for HIV/AIDS Prevention Services : UCHAPS
180. Valley AIDS Information Network, Inc.
181. Vermont PWA Coalition
182. Whitman-Walker Clinic
183. Women Organized to Respond to Life-threatening Diseases (WORLD)
184. World Organization for Human Rights, DC
185. Wren & Gateways Law Group, LLC