

## **IAS Statement on United States Department of Homeland Security proposed ruling to “Streamline” temporary visa provision for people living with HIV/AIDS**

GENEVA. December 4, 2007 - The International AIDS Society (IAS) would like to express concern over the proposed United States Department of Homeland Security (DHS) ruling, docket number USCBP-2007-0084, “Issuance of Visa and Authorization for Temporary Admission into the United States for Certain Nonimmigrant Aliens Infected with HIV.” Public comment on this proposed ruling is due on December 6, 2007, and we attach our comments with this statement.

IAS believes this ruling:

1. undermines United States Government’s current efforts in providing global leadership on the response to HIV/AIDS;
2. promotes a discriminatory bias in selecting waivers for short-term visitors to the United States who are living with HIV; and,
3. promotes a policy that has no plausible basis in science, public health and medicine.

As a network of more than 10,000 professionals from around the world working in research, treatment, care, support and prevention services on HIV/AIDS, the IAS is the world’s largest network of HIV professionals. Our members hail from around the world, including more than 2,500 members in the United States.

We were encouraged in December 2006, when President George W. Bush announced on World AIDS Day that the White House would issue an executive order allowing HIV-positive people to enter the U.S. on short-term visas without seeking a special waiver. That executive order never materialized.

From our perspective, the latest proposal from the Department of Homeland Security to “streamline” the visa waiver process for HIV-positive persons wishing to enter the United States, only serves to reinforce a bad policy that is clearly discriminatory and has no public health basis.

Furthermore, this new “streamlined” policy, ([read our detailed comments on the proposed ruling](#)) undermines the United States Government’s credibility as the global leader in resource-provision for HIV prevention, treatment, care and disease mitigation. Because the United States’ leadership has made HIV prevention, treatment and care services more available around the world, this policy says to people living with HIV in those most affected countries, “here is your funding for HIV services, now stay away from our borders.”

We firmly believe there is no sound public health reason to single out HIV as a basis for inadmissibility to the United States or any other country. The majority of nations in the world do not have this type of discriminatory statute in their visa laws, because they have found that allowing HIV-positive persons to enter their borders poses no imminent threat to their population. Holding on to, and “streamlining” this antiquated policy, puts the United States in line with only 13 other countries that “ban” HIV-positive persons from entering their borders on a short-term visitor basis - Iraq, China, Saudi Arabia, Libya, Sudan, Qatar, Brunei, Oman, Moldova, Russia, Armenia, and South Korea.

Because there is no public health rationale for this policy, the only plain effect could be to target men, women and children from countries most affected by HIV (who are predominantly persons of color), gay men, and people who are from other socially marginalized groups, from entrance into the United States. This is deplorable.

The International AIDS Society urges the United States Government, through the Department of Homeland Security, to table this proposed ruling and to hold a rigorous and evidence-based public review of this statute instead of advancing a bad policy that undermines the United States leadership and credibility.