



McCain-Palin vs. Obama-Biden ON HIV/AIDS ISSUES

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WHERE THE CANDIDATES STAND ON HIV/AIDS ISSUES A QUICK REFERENCE GUIDE

	McCain	Obama
National AIDS Strategy*	↑	↑
Early Treatment for HIV Act (ETHA)	↓	↑
Microbicide Development Act	↓	↑
Comprehensive Sex Education	↓	↑
Ending funding for abstinence-only-until-marriage	↓	↑
Prison HIV Prevention	?	↑
Syringe exchange	?	↑
Ryan White CARE Act	↔	↑
Housing Opportunities for People with AIDS (HOPWA)	?	↑
President's Emergency Plan for AIDS Relief (PEPFAR)	↑	↑
Signed the "Presidential Pledge for Leadership on Global AIDS and Poverty"	↓	↑
Debt cancellation and patent licensing reform	?	↑
Repeal of HIV entry ban	↔	↑
Employment Non-Discrimination Act (ENDA)	↓	↑
Marriage equality	↓	↓
Civil unions	↓	↑
Human Rights Campaign legislative scorecard average	24	92

KEY: ↑ Supports ↓ Does not support ↔ Mixed position ? Position unclear or not articulated

* ↑ Has committed to creating strategy ↓ Has not committed to creating strategy

(As of October 10, 2008)

WHERE THE CANDIDATES STAND ON HIV/AIDS ISSUES

A QUICK REFERENCE GUIDE

THE ISSUES EXPLAINED

National AIDS Strategy – Committed to creating and implementing a national strategy.

Early Treatment for HIV Act – Supports passage of federal legislation that would allow states to amend their Medicaid eligibility requirements for low-income individuals who are HIV-positive and not yet progressed to full blown AIDS.

Microbicide Development Act – Supports passage of federal legislation that would streamline research and development among federal agencies and increase funding for a new class of HIV prevention products.

Comprehensive sex education – Supports passage of federal legislation that would provide our nation's youth with accurate information about abstinence, contraception and condom use in order to reduce unintended pregnancies, abortions, and disease transmission.

Abstinence-only-until-marriage – Supports an end to federal funding for abstinence-only-until-marriage programs.

Prison health – Supports passage of federal legislation that would allow condom distribution in federal prisons, as well as increase HIV testing and mandate proper care, while maintaining confidentiality.

Syringe exchange – Supports federal legislation to lift the ban on federal funding for syringe exchange programs.

Ryan White CARE Act – Supports increased funding for the nation's largest source of HIV/AIDS treatment and care.

Housing Opportunities for People With AIDS (HOPWA) – Supports increased funding for AIDS housing services.

Global AIDS epidemic – Supports increased funding for President's Emergency Plan For AIDS Relief (PEPFAR), as well as a non abstinence-only based approach to global prevention.

Signed the "Presidential Pledge for Leadership on Global AIDS and Poverty." – Vowed to commit \$50 billion to AIDS and establish evidence-based prevention worldwide.

Debt cancellation and patent licensing reform – Supports urging the International Monetary Fund to cancel 100% of the debt to the most impoverished nations and further supports lifting patent restrictions to allow medications developed by the U.S. reach developing nations.

Repeal of HIV entry ban – Supports lifting the ban on HIV-positive immigrants and travelers from entering the United States. The statutory ban was lifted by the passage of PEPFAR in July 2008, which both Presidential candidates supported.

Employment non-discrimination – Supports federal legislation to prohibit discrimination in the workplace on the basis of sexual orientation and gender identity.

Marriage equality – Supports civil marriage equality for same-sex couples.

Civil unions – Supports civil unions for same-sex couples, but not full marriage equality.

Human Rights Campaign legislative scorecard average – Rating from the largest LGBT political organization on LGBT issues for those candidates who served in Congress.

REPUBLICAN PRESIDENTIAL NOMINEE

John McCain



Date of Birth: August 29, 1936
Current Position: U.S. Senator, 1987 – present
Previous Service: Candidate for Republican Presidential Nomination, 2000
U.S. House of Representatives, 1983 – 1987
United States Navy 1958 – 1981
Education: U.S. Naval Academy, 1958
National War College, 1973
Home: Phoenix, Arizona
Profession: Military Officer, Politician
Campaign Website: www.johnmccain.com

ON THE ISSUES...

Senator McCain did not respond to the *AIDSVote.org* Presidential Candidates Questionnaire, sent in August 2007.

NATIONAL AIDS STRATEGY

- Senator McCain has committed to supporting the development of a comprehensive national AIDS strategy.^{1a}

In response to new figures released from the Centers for Disease Control and Prevention (CDC) in August 2008 illustrating a growing number of new HIV infections in the U.S., McCain stated he would “work closely with non-profit, government, and private sector stakeholders to continue the fight against HIV/AIDS.”

McCain continued, “By focusing efforts on reducing drug costs through greater market competition, promoting prevention efforts, encouraging testing, targeting communities with high infection rates, strengthening research and reducing disparities through effective public outreach, we as a nation can make great progress in fighting HIV/AIDS.”

In an interview with the *Washington Blade*, the leading LGBT newspaper of the nation’s capital, when asked about his support for a national AIDS strategy, McCain responded, “It’s important to settle on a national strategy — with input from state, local and federal government officials; along with the private sector, doctors, drug companies and AIDS advocates. Let’s roll up our sleeves and put together a National AIDS Strategy for more effectively addressing the domestic challenges.”^{1b}

In a statement to the U.S. AIDS Conference in September 2008, McCain commented, “As President, I will work closely with non-profit, government, and private sector stakeholders to continue the fight against HIV/AIDS. By focusing efforts on reducing drug costs through greater market competition, promoting prevention efforts, encouraging testing, targeting communities with high infection rates, strengthening research and reducing disparities through effective public outreach, we can make great progress in fighting HIV/AIDS.”²

“Let’s roll up our sleeves and put together a National AIDS Strategy for more effectively addressing the domestic challenges.”

— Senator John McCain

PREVENTION

Abstinence-only funding, comprehensive sex education

- Not a co-sponsor of the Prevention First Act, which would provide our nation's youth with accurate information about abstinence, contraception and condom use in order to reduce unintended pregnancies, abortions, and disease transmission.³
- Voted against the Teen Pregnancy Prevention Amendment to the Child Custody Protection Act of 2006, which would reduce the number of teen pregnancies by providing funding for programs to teach comprehensive, medically accurate sexuality education and other programs to prevent unintended teen pregnancies.⁴

When questioned by a reporter in July 2008 if U.S. tax money should fund contraception as part of a global HIV prevention strategy, Mr. McCain responded “The guy I really respect on this is Dr. Coburn (Republican Senator from Oklahoma and a physician). He believes—and I was just reading the thing he wrote—that you should do what you can to encourage abstinence where there is going to be sexual activity. Where that doesn’t succeed, then he thinks that we should employ contraceptives as well. But I agree with him that the first priority is on abstinence. I look to people like Dr. Coburn. I’m not very wise on it.” Upon further consideration, McCain continued “I haven’t thought about it. Before I give you an answer, let me think about it. Let me think about it a little bit because I never got a question about it before. I don’t know if I would use taxpayers’ money for it.”

When questioned further about use of contraception as part of a domestic HIV prevention strategy, McCain said “I think I support the president’s policy.” He elaborated and stated “You know, I’m sure I’ve taken a position on it on the past. I have to find out what my position was. Brian (McCain’s press secretary), would you find out what my position is on contraception—I’m sure I’m opposed to government spending on it, I’m sure I support the president’s policies on it. Get me Coburn’s thing, ask Weaver (senior advisor) to get me Coburn’s paper that he just gave me in the last couple of days. I’ve never gotten into these issues before.”⁵

Senator Coburn is among the most anti-gay members of Congress. He advocated for abstinence requirements and against reproductive health/family planning in the recent reauthorization of the President’s Emergency Plan for AIDS Relief (PEPFAR).

When asked in a *Washington Blade* interview about his policy on comprehensive sex education, McCain stated, “I have supported including abstinence as a component of sex-education programs.” He continued, “Of course [condoms] help, but we can’t remove responsibility from the equation. Condoms aren’t fail-proof. People must behave responsibly and make wise decisions. Government can help with prevention strategies, but all people must choose to take responsibility for their own health.”⁶

Syringe exchange

Position unclear.

Microbicides

- Not a co-sponsor of the Microbicide Development Act, which would promote research and development of microbicides as an effective barrier to HIV transmission.⁷

Prison prevention

Position unclear.

“Government can help with prevention strategies, but all people must choose to take responsibility for their own health.”

– Senator John McCain

TREATMENT/CARE

Early Treatment for HIV Act (ETHA)

- Not a co-sponsor of ETHA, which would allow states to amend their Medicaid eligibility requirements for low-income individuals who are HIV-positive and have not yet progressed to full blown AIDS.⁸

Ryan White CARE Act

- Co-sponsor of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990, which serves as the largest funding source for HIV/AIDS treatment domestically.⁹
- Did not co-sponsor the 2000 Reauthorization of the Ryan White CARE Act.¹⁰

Housing Opportunities for People With AIDS (HOPWA)

Position unclear.

General Treatment/Care

- Healthcare plan establishes “guaranteed access plans” for affordable insurance for patients with pre-existing conditions, such as AIDS.¹¹

CIVIL RIGHTS

People living with HIV/AIDS

- Voted in 1993 to prevent people living with HIV/AIDS from permanently immigrating into the United States.¹²
- Voted in 1991 for an amendment to imprison HIV-positive health care workers who perform surgery.¹³
- Voted in 1991 for a Jesse Helms amendment to involuntarily test patients for HIV who are about to undergo surgery.¹⁴

Senator John McCain voted in 1993 to prevent people living with HIV/AIDS from permanently immigrating into the United States.

Gay, Lesbian, Bisexual, Transgender Community

- Voted for the anti-gay Defense of Marriage Act in 1996.¹⁵
- Voted against the first introduction of the Employment Non-Discrimination Act (ENDA) in 1996, which would prohibit workplace discrimination based on sexual orientation.¹⁶
- Voted against the anti-gay Federal Marriage Amendment to the U.S. Constitution in 2006, which would permanently write discrimination into the U.S. Constitution by defining marriage as the union between one man and one woman, and prohibit federal and state governments from conferring marital status and “the legal incidents thereof” upon same-sex couples.¹⁷
- Supported a proposed 2006 amendment (Proposition 107) to the Arizona state constitution which would have prevented same-sex marriage, as well as denied government benefits to unmarried couples. McCain appeared in a commercial in support of Proposition 107.¹⁸
- Supports a review of the U.S. military’s “Don’t Ask, Don’t Tell” policy.¹⁹

Senator John McCain voted in 1991 for a Jesse Helms amendment to involuntarily test patients for HIV who are about to undergo surgery.

- Average rating of 24 on the Human Rights Campaign Congressional Scorecard, 102nd to 110th Congresses.

When asked at a CNN presidential debate in November 2007 about the military’s “Don’t ask, don’t tell” policy, McCain stated, “All the time, I talk to our military leaders, beginning with our joint chiefs of staff and the leaders in the field, such as General Petraeus and General Odierno and others who are designated leaders with the responsibility of the safety of the men and women under their command and their security and protect them as best they can. Almost unanimously, they tell me that this present policy is working, that we have the best military in history, that we have the bravest, most professional, best prepared, and that this policy ought to be continued because it’s working.”²⁰

In a statement made on McCain’s presidential campaign website, he stated “I support the efforts of the people of California to recognize marriage as a unique institution between a man and a woman, just as we did in my home state of Arizona.”²¹

When asked by the *New York Times* in July 2008 about California’s push to legalize same-sex marriage, McCain stated “I respect the rights of the states to make those decisions. I obviously am personally in favor of preserving the unique status of marriage between man and woman. And I also would point out that we passed a thing called the Defense of Marriage Act, which I know you’re familiar with, where we said that states were not required to recognize in their states the decision that other states made. In other words, if the state of Massachusetts recognized marriage between man and—had allowed same-sex marriage, that does not mean that that decision can be imposed on the state of Arizona. The state of Arizona will make that decision.”²²

When asked in a Washington Blade interview about his feelings on discrimination in the workplace, McCain responded, “Gay and lesbian people should not face discrimination in the workplace.”²³

GLOBAL

President’s Emergency Plan for AIDS Relief (PEPFAR) and abstinence-only earmark

- Co-sponsored 2008 PEPFAR reauthorization. However, McCain was not present for the final vote in July 2008. McCain supported the final PEPFAR bill.²⁴ (PEPFAR included a repeal of the statutory HIV entry ban, and language calling for prevention research targeting men who have sex with men.)

General global

In an *Associated Press* article in August 2007, McCain said, “I think it’s more than just money, I think it’s behavior,” he told a woman who wanted him to promise \$50 billion over five years to fight global AIDS. McCain said he doesn’t think the Bush administration gets enough credit for what it has done to stop the epidemic, but said the focus should be on urging governments in those countries to act more responsibly.²⁵

In a statement made on the floor of the Senate in 2003, McCain said, “The spread of HIV/AIDS, and the efforts of the international community to combat it, will be remembered by history as one of the defining issues of our time. The ethical implications of not doing everything in our power to slow the spread of this disease are severe. The most basic morality requires that we commit ourselves to combating HIV/AIDS everywhere.”²⁶

In an article published by *Vanity Fair* magazine in the summer of 2007, McCain stated, “Fighting disease and extreme poverty in Africa is in America’s strategic and moral interests. If elected, I will fund AIDS treatment and prevention at levels befitting a wealthy and great nation, and establish a goal of eradicating malaria—the number one killer of African children under five—

“The spread of HIV/AIDS, and the efforts of the international community to combat it, will be remembered by history as one of the defining issues of our time. The ethical implications of not doing everything in our power to slow the spread of this disease are severe. The most basic morality requires that we commit ourselves to combating HIV/AIDS everywhere.

— Senator John McCain

“Fighting disease and extreme poverty in Africa is in America’s strategic and moral interests. If elected, I will fund AIDS treatment and prevention at levels befitting a wealthy and great nation...”

— Senator John McCain

from the continent. I would link other forms of aid to good governance and economic reform, because no amount of assistance can succeed when governments fail their people.”²⁷

OTHER STATEMENTS

In a statement issued by his campaign on December 1, 2007, World AIDS Day, McCain said. “Today we offer our thoughts and prayers to the over 33 million people around the world that struggle to live each day with HIV/AIDS, and we mourn the millions of lives lost to the deadly virus. Today is a day to give comfort, and recognize the caregivers, and over 40 million AIDS orphans on this planet whose lives have been forever altered by this killer that respects no international or economic borders. Each and every life lost, infected and impacted by HIV/AIDS, is a loss to our common humanity.

“America’s response to this crisis reflects the values and respect for life, upon which this nation was founded. Today is a call to action to roll-back the scourge of HIV and save lives. It’s critical that we face this crisis head-on, which is why I have consistently supported the most aggressive global AIDS program in the history of this pandemic, the President’s Emergency Plan for AIDS Relief (PEPFAR). Afflicted nations with whom we partner to fight this disease must also know that we expect a level of governance, transparency and effectiveness from them in order to make the fullest use of AIDS assistance so we can make the greatest impact on people’s lives. Our commitment must be sustained, and our nation must always be faithful to those at home and abroad as they cope with the ravages of HIV/AIDS.”²⁸

In a statement issued by his campaign on June 27, 2008, National HIV Testing Day, McCain stated “AIDS is a national and international tragedy. An important step is to improve the awareness of people of their HIV status. Yet, right now, as many as 250,000 people in the United States may have HIV and not know it. National HIV Testing Day is an important reminder of how precious life is, the need to know your HIV status, and the opportunity to build a healthier and more productive future.”²⁹

“AIDS is a national and international tragedy. An important step is to improve the awareness of people of their HIV status.”

– Senator John McCain

REPUBLICAN VICE-PRESIDENTIAL NOMINEE

Sarah Heath Palin



Date of Birth:	February 11, 1964
Current Position:	Governor of Alaska, 2006–present
Previous Service:	Mayor of Wasilla, 1996–2002 Wasilla City Council, 1992–1996
Education:	University of Idaho, BS 1987
Home:	Wasilla, Alaska
Profession:	Politician, Journalist, Fisherwoman

PREVENTION

Abstinence-only funding, comprehensive sex education

On World AIDS Day 2007, Governor Palin declared that “[a] range of prevention options should be offered to help people protect themselves and others.” Yet Palin is a staunch opponent of sex education. Candidate Palin told Eagle Forum Alaska, the state affiliate of the national Christian right group, that she opposed sex education in schools and would only fund “abstinence-until-marriage” programs.³⁰

- In 2007, the Alaska State Department of Health and Social Services accepted over \$150,000 in federal and state funding for abstinence-only-until-marriage programs.³¹
- In 2007, among high school students who reported being currently sexually active, 63% of males in Alaska reported using condoms the last time they had sex, compared to 69% of males nationwide.³²
- In 2007, 86% of high school students in Alaska reported having been taught about HIV/AIDS in school, compared to 90% of high school students nationwide.³³
- When asked in an interview with CBS News anchor Katie Couric about her feelings on the morning after pill, Palin responded, “I’m all for contraception.”³⁴

**“I’m all for
contraception.”**

– Governor Sarah Palin

SAME-SEX UNIONS

Governor Palin opposes same-sex marriage and any government-provided benefits to state employees in same-sex relationships. In 2006 Palin told the *Anchorage Daily News* that even though “she’s not out to judge anyone and has good friends who are gay...that she supported the 1998 constitutional amendment” banning same-sex marriages in Alaska. Further, she told the *Anchorage Daily* that “she would support a ballot question that would deny benefits to homosexual couples. ‘I believe that honoring the family structure is that important,’ Palin said.”³⁵

Same-sex relationships became an issue in the 2006 gubernatorial campaign after Alaska’s highest court ruled in 2005 that the state could not deny domestic partner benefits, such as health insurance, to the same-sex partners of state employees. In late 2006 the court ordered the state to implement that ruling. When the legislature passed a law negating the court ruling, Palin vetoed it after her Department of Law deemed it unconstitutional. At the same time, Palin denounced the court’s ruling, and signed a bill calling for a statewide referendum to express support or opposition to it. By a narrow margin the advisory vote passed, with Alaskan voters expressing non-binding

opposition to providing domestic partner benefits to same-sex partners of state workers.

Although the McCain-Palin campaign and some press accounts have cited Palin's veto of the anti-gay benefits bill as evidence of her moderation on gay rights, Alaskan activists disagree. "That's just completely wrong," said Allison Mendel, the attorney who litigated the 1999 case on behalf of gay and lesbian state workers. "She spoke on radio programs all throughout the campaign saying, 'I want a constitutional amendment, I think these things are only for a man and a woman.' ... I don't think she's ever said a friendly word about gay people, that they ought to have health benefits like other people do or anything along those lines."³⁶

When asked in an interview with CBS News anchor Katie Couric about her feelings on homosexuality, Palin replied, "But as for homosexuality, I am not going to judge Americans and the decisions that they make in their adult personal relationships." She continued, "I love America where we are more tolerant than other countries are. And are more accepting of some of these choices that sometimes people want to believe reflects solely on an individual's values or not. Homosexuality, I am not gonna judge people."³⁷

At the 2008 Vice Presidential Debate at Washington University, when asked by moderator Gwen Ifill of PBS whether she supports granting benefits to same-sex couples throughout the U.S., as they currently do in Alaska, Palin responded, "Well, not if it goes closer and closer towards redefining the traditional definition of marriage between one man and one woman. And unfortunately that's sometimes where those steps lead." She continued, "But I will tell Americans straight up that I don't support defining marriage as anything but between one man and one woman, and I think through nuances we can go round and round about what that actually means. But I'm being as straight up with Americans as I can in my non- support for anything but a traditional definition of marriage."³⁸

"I don't support defining marriage as anything but between one man and one woman."

— Governor Sarah Palin

OTHER ISSUES

In 2000, then Mayor Palin supported the candidacy of presidential hopeful Pat Buchanan, one of the most anti-gay Republican candidates. In 1983, Buchanan wrote, "The poor homosexuals — they have declared war upon nature, and now nature is extracting an awful retribution." Later, in 1992, Buchanan said, "AIDS is nature's retribution for violating the laws of nature."³⁹

DEMOCRATIC PRESIDENTIAL NOMINEE

Barack Obama



Date of Birth: August 4, 1961
Current Position: U.S. Senator, 2005 – present
Previous Service: Illinois State Senate, 1997 – 2005
Education: Columbia University, BA 1983
Harvard University, JD 1991
Home: Chicago, Illinois
Profession: Attorney
Campaign Website: www.barackobama.com

ON THE ISSUES...

NATIONAL AIDS STRATEGY

“[AIDS] is not an issue of either science or values—it is both. Yes, there must be more money spent on this disease. But there must also be a change in hearts and minds, in cultures and attitudes. Neither philanthropist nor scientist, neither government nor church, can solve this problem on their own—AIDS must be an all-hands-on-deck effort.”

– Senator Barack Obama

- Senator Obama has committed to creating and implementing a comprehensive national AIDS strategy. He has also released details of what his AIDS strategy would look like.⁴⁰

At a speech in Lake Forest, CA on World AIDS Day 2006, Senator Obama declared, “We are all sick because of AIDS—and we are all tested by this crisis. It is a test not only of our willingness to respond, but of our ability to look past the artificial divisions and debates that have often shaped that response. When you go to places like Africa and you see this problem up close, you realize that it’s not a question of either treatment or prevention—or even what kind of prevention—it is all of the above. It is not an issue of either science or values—it is both. Yes, there must be more money spent on this disease. But there must also be a change in hearts and minds, in cultures and attitudes. Neither philanthropist nor scientist, neither government nor church, can solve this problem on their own—AIDS must be an all-hands-on-deck effort.”⁴¹

In response to new figures released from the Centers for Disease Control and Prevention (CDC) in August 2008 illustrating a growing number of new HIV infections in the U.S., Obama stated “We have now learned that 56,300 new HIV infections occurred in the United States in 2006, not 40,000 that had been previously cited. These new figures should bring new focus to our efforts to address AIDS and HIV here at home. As president, I am committed to developing a National AIDS Strategy to decrease new HIV infections and improve health outcomes for Americans living with HIV/AIDS. Across the nation, we also need to prevent the spread of HIV and get people into treatment by expanding access to testing and comprehensive education programs. This report also demonstrates the need for more timely data about HIV transmission so that we can effectively evaluate prevention efforts.”

He continued, “Combating HIV/AIDS also demands closing the gaps in opportunity that exist in our society so that we can strengthen our public health. We must also overcome the stigma that surrounds HIV/AIDS — a stigma that is too often tied to homophobia. We need to encourage folks to get tested and accelerate HIV/AIDS research toward an effective cure because we have a moral obligation to join together to meet this challenge, and to do so with the urgency this epidemic demands.”⁴²

In a statement to attendees of the U.S. Conference on AIDS in September 2008, Obama stated, “Joe and I are committed to developing a National AIDS Strategy to decrease new HIV infections and improve health outcomes for Americans living with HIV/AIDS.”⁴³

PREVENTION

Abstinence-only funding, comprehensive sex education

- Co-sponsor of the Prevention First Act, which would provide our nation’s youth with accurate information about abstinence, contraception and condom use in order to reduce unintended pregnancies, abortions, and disease transmission.⁴⁴
- Firmly opposes federal funding for abstinence-only-until-marriage programs.⁴⁵

Syringe exchange

In response to the AIDSVote.org Presidential Candidates Questionnaire, regarding syringe exchange, Senator Obama stated, “I believe needle exchange is another important method of the prevention of HIV/AIDS transmission.”⁴⁶

Microbicides

- Primary Sponsor of the Microbicide Development Act, which would promote research and development of microbicides as an effective barrier to HIV transmission.⁴⁷

Speaking to a *Los Angeles Times* reporter on the realities of HIV prevention, Senator Obama noted, “We can’t ignore the fact that abstinence and fidelity, although the ideal, may not always be the reality—that we’re dealing with flesh and blood men and women and not abstractions, and that if condoms and, potentially, things like microbicides, can prevent millions of deaths, then they should be made more widely available.”⁴⁸

Prison prevention

- Supports the Justice for the Unprotected against Sexually Transmitted Infections among Confined and Exposed (JUSTICE) Act, as introduced in the House of Representatives (the bill is not yet introduced in the Senate), which would allow for the distribution of condoms in federal prisons.⁴⁹

General prevention

At a 2006 World AIDS Day Summit at Saddleback Church in Orange County, California, Obama stated, “Let me say this loud and clear: I don’t think that we can deny that there is a moral and spiritual component to prevention, that in too many places all over the world where HIV/AIDS is prevalent—including, by the way, right here in the United States—the relationship between men and women, between sexuality and spirituality, has broken down, and needs to be repaired.”⁵⁰

In response to a question on AIDS at the Logo Channel/Human Rights Campaign presidential debate, Senator Obama responded, “I’m willing to talk about AIDS at Saddleback Church to evangelicals and talk about why we need to have condom distribution to deal with the scourge of AIDS.”⁵¹

In an open letter to LGBT Americans in November 2007, Obama stated “The next president must also address the HIV/AIDS epidemic. When it comes to prevention, we do not have to choose between values and science. While abstinence education should be part of any strategy, we also need to use common sense. We should have age-appropriate sex education that includes

“We can’t ignore the fact that abstinence and fidelity, although the ideal, may not always be the reality — that we’re dealing with flesh and blood men and women and not abstractions, and that if condoms and, potentially, things like microbicides, can prevent millions of deaths, then they should be made more widely available.”

— Senator Barack Obama

“We have to overcome the stigma that surrounded HIV/AIDS — a stigma that is too often tied to homophobia. We need to talk about HIV/AIDS in our communities.”

— *Senator Barack Obama*

information about contraception. We should pass the JUSTICE Act to combat infection within our prison population. And we should lift the federal ban on needle exchange, which could dramatically reduce rates of infection among drug users. In addition, local governments can protect public health by distributing contraceptives. We also need a president who's willing to confront the stigma — too often tied to homophobia — that continues to surround HIV/AIDS. I confronted this stigma directly in a speech to evangelicals at Rick Warren's Saddleback Church, and will continue to speak out as president.”⁵²

In a statement to attendees of the U.S. Conference on AIDS in September 2008, Obama stated, “We have to overcome the stigma that surrounded HIV/AIDS — a stigma that is too often tied to homophobia. We need to talk about HIV/AIDS in our communities. We need to encourage folks to get tested — which is why Michelle and I were tested for HIV during a trip to Kenya.”⁵³

TREATMENT/CARE

Early Treatment for HIV Act (ETHA)

- Co-sponsored ETHA in the 109th Congress, which would allow states to amend their Medicaid eligibility requirements for low-income individuals who are HIV-positive and have not yet progressed to full blown AIDS.⁵⁴

Ryan White CARE Act

- Supports protecting the Ryan White CARE Act, which serves as the largest funding source for HIV/AIDS treatment domestically.⁵⁵

Housing Opportunities for People With AIDS (HOPWA)

- Signed letter to Senate committee in support of a HOPWA funding increase.⁵⁶

General Treatment/Care

- Committed to signing universal healthcare legislation by the end of his first term.⁵⁷

CIVIL RIGHTS

People living with HIV/AIDS

- Supports repeal of the HIV travel and immigration ban.⁵⁸

Gay, Lesbian, Bisexual, Transgender Community

- Voted against the anti-gay Federal Marriage Amendment to the U.S. Constitution in 2006.⁵⁹
- Average rating of 92 on the Human Rights Campaign Congressional Scorecard, 109th to 110th Congresses.

When asked in November 2007 about his stance on same-sex marriage by host Tim Russert on “Meet the Press,” Obama replied, “I have not said that I was a supporter of gay marriage, but I am a strong supporter of civil unions, and I would, as president, make absolutely certain that all federal laws pertaining to married couples—benefits pertaining to married couples are conferred to people who—same sex couples who have civil unions as well.”⁶⁰

In an article published in the Human Rights Campaign's *Equality Magazine* in the summer of 2008, Obama stated "We've come a long way since the Stonewall riots in 1969, but we still have a lot of work to do. Too often, the issue of GLBT rights is exploited by those seeking to divide us. But at its core, this issue is about who we are as Americans. It's about whether this nation is going to live up to its founding promise of equality by treating all its citizens with dignity and respect."

He continued, "I will never compromise on my commitment to equal rights for all LGBT Americans. But neither will I close my ears to the voices of those who still need to be convinced. That is the work we must do to move forward together. It is difficult. It is challenging. And it is necessary."⁶¹

"[LGBT civil rights] is about whether this nation is going to live up to its founding promise of equality by treating all its citizens with dignity and respect."

— *Senator Barack Obama*

GLOBAL

President's Emergency Plan for AIDS Relief (PEPFAR) and abstinence-only earmark

- Co-sponsored 2008 PEPFAR reauthorization, though, was not present for final vote in July 2008.⁶² (PEPFAR included a repeal of the statutory HIV entry ban, and language calling for prevention research targeting men who have sex with men.)

Senator Obama made the following statement after passage: "Today, there are 33 million people living around the world with HIV/AIDS and there were over 4 million new infections in 2006 alone. As these numbers have continued to rise, the face of HIV/AIDS has changed dramatically with women and girls being increasingly affected. However, methods for HIV/AIDS prevention that can be used by women do not exist. And that is why I introduced the Microbicide Development Act last year to increase research and development of these products."

"I commend the Senate Appropriations Committee for its commitment to enhancing HIV/AIDS prevention efforts for women in the United States and around the world. Federal leadership, oversight and funding are needed to help ensure that the promise of microbicides becomes reality."⁶⁵

- Co-sponsor of the HIV Prevention Act, which would lift the requirement that one-third of funding for HIV prevention overseas go to abstinence-only-until-marriage programs, and shift the funding to comprehensive prevention education.⁶³
- Supports an additional \$1 billion annual increase over the next five years to strengthen and expand the PEPFAR program in Southeast Asia, India, and Eastern Europe.⁶⁴

While outlining his ideas on the global AIDS epidemic in his national strategy, Obama states, "that our first priority should be to reauthorize PEPFAR when it expires in 2008 and rewrite much of the bill to allow best practices—not ideology—to drive funding for HIV/AIDS programs."⁶⁶

**“It is a race against time.
People are dying...
There’s nothing political
about dealing with
malaria and global HIV.”**

— Senator Barack Obama

Comprehensive plan for global epidemic

- Co-sponsor of the African Health Capacity Investment Act of 2007, which would improve the capacity of health systems in sub-Saharan countries.⁶⁷
- Co-sponsored the International Cooperation to Meet the Millennium Development Goals Act of 2005, which would urge debt forgiveness and full funding for our international commitments in the fight against global HIV/AIDS.⁶⁸
- Supports the adoption of licensing policies to ensure that medications developed by the United States are made available off-patent to developing nations.⁶⁹
- Signed the “Presidential Pledge for Leadership on Global AIDS and Poverty” from 08STOPAIDS.org, vowing to commit \$50 billion to AIDS worldwide and establish sound evidence-based prevention policies.⁷⁰

In addressing the global AIDS epidemic at a 2006 World AIDS Day Summit at Saddleback Church in Orange County, California, Senator Obama remarked about Africa, “Friends, that’s a continent sliding into the ocean... It is a race against time. People are dying... There’s nothing political about dealing with malaria and global HIV.”⁷¹

In an essay for *Foreign Affairs* magazine, Obama wrote, “We need to invest in building capable, democratic states that can establish healthy and educated communities, develop markets, and generate wealth. Such states would also have greater institutional capacities to fight terrorism, halt the spread of deadly weapons, and build health-care infrastructures to prevent, detect, and treat deadly diseases such as HIV/AIDS, malaria, and avian flu... Our rapidly growing international AIDS programs have demonstrated that increased foreign assistance can make a real difference.”⁷²

In response to the AIDSVote.org Presidential Candidates Questionnaire, regarding the global AIDS epidemic, Senator Obama responded, “I am committed to doubling U.S. spending on foreign aid to \$50 billion a year by 2012...to ensure a comprehensive fight against this global pandemic.”⁷³

ADDITIONAL STATEMENTS

Poverty

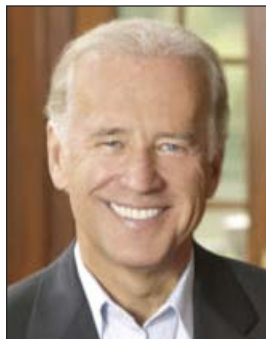
In an article from the *Berkeley Daily Planet*, Obama was quoted as saying, “There are no magic solutions... Communities that are poor are like a diseased body, they are more vulnerable to violence, to the drug trade, more vulnerable to HIV/AIDS—their immune system is broken down. If we can strengthen these communities with jobs, education, preventative healthcare, that will all make a difference.”⁷⁴

Health Care

In a radio campaign ad, Obama stated, “We have more work to do when the black incidence of HIV/AIDS and diabetes, and every other illness is multiple times higher than the rest of the population.”⁷⁵

DEMOCRATIC VICE-PRESIDENTIAL NOMINEE

Joe Biden



Date of Birth:	November 20, 1942
Current Position:	U.S. Senator, 1973 – present
Previous Service:	New Castle County Council, 1971 – 1973
Education:	University of Delaware, AB 1965 Syracuse University, JD 1968
Home:	Wilmington, Delaware
Profession:	Attorney

ON THE ISSUES...

NATIONAL AIDS STRATEGY

In a statement to attendees of the U.S. Conference on AIDS in September 2008, Obama stated, “Joe and I are committed to developing a National AIDS Strategy to decrease new HIV infections and improve health outcomes for Americans living with HIV/AIDS.”⁷⁶

PREVENTION

Comprehensive sex education

- Co-sponsor of the Prevention First Act, which would provide our nation’s youth with accurate information about abstinence, contraception and condom use in order to reduce unintended pregnancies, abortions, and disease transmission.⁷⁷

In response to the AIDSVote.org Presidential Candidates Questionnaire, on the matter of comprehensive sex education, Senator Biden responded, “Education is key in prevention and treatment; that is why I support comprehensive and age appropriate sex education that includes science-based prevention methods. Abstinence-only programs are not enough; we have to provide well-rounded education which includes information about contraception and avoidance of STIs (sexually transmitted infections).”⁷⁸

Syringe exchange

In response to the AIDSVote.org Presidential Candidates Questionnaire, on the matter of syringe exchange, Senator Biden said, “I believe needle exchange is another important method of the prevention of HIV/AIDS transmission.” He further cited a report by the National Institutes of Health showing a reduction of 30 percent or more in HIV transmission rates among injection drug users who participated in a needle exchange program.⁷⁹

“I believe needle exchange is another important method of the prevention of HIV/AIDS transmission.”

— Senator Joseph Biden

Microbicides

- Not a co-sponsor of the Microbicide Development Act, which would promote research and development of microbicides as an effective barrier to HIV transmission.⁸⁰

“This groundbreaking research on HIV and AIDS should include the work on the discovery and development of anti-HIV microbicides.”

– Senator Joseph Biden

In response to the AIDSVote.org Presidential Candidates Questionnaire, on the matter of microbicides, Senator Biden stated, “I am working to strengthen our current efforts by continuing robust funding for the National Institutes of Health, including building on the successful effort that doubled NIH funding over five years. This groundbreaking research on HIV and AIDS should include the work on the discovery and development of anti-HIV microbicides.”⁸¹

Prison prevention

Biden did not respond to this question on the AIDSVote.org Presidential Candidates Questionnaire.

TREATMENT/CARE

Early Treatment for HIV Act (ETHA)

- Not a co-sponsor of ETHA, which would allow states to amend their Medicaid eligibility requirements for low-income individuals who are HIV-positive and have not yet progressed to full-blown AIDS.⁸²

Ryan White CARE Act

- Co-sponsored the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990, which serves as the largest funding source for HIV/AIDS treatment domestically.⁸³
- Co-sponsored the 1995 and 2000 reauthorizations of the Ryan White CARE Act.^{84,85}

When asked about funding for the Ryan White CARE Act in the AIDSVote.org Presidential Candidates Questionnaire, Senator Biden responded, “Since 1991 we’ve invested nearly \$24 billion in the program. It has been incredibly successful — and we need to continue it.”⁸⁶

Housing Opportunities for People with AIDS (HOPWA)

- Signed letter to Senate committee in support of a HOPWA funding increase.⁸⁷

CIVIL RIGHTS

People living with HIV/AIDS

- As Chairman of the Senate Foreign Relations Committee, Senator Biden wrote into the reauthorization of the President’s Emergency Plan for AIDS Relief (PEPFAR II) language repealing the statutory entry ban for people living with HIV/AIDS. When President Bush signed PEPFAR II into law in July 2008, it repealed the statutory entry ban preventing people living with HIV from entering the U.S. to visit family, work, go to school, or for any other reason.
- Voted in 1993 to prevent people living with HIV/AIDS from permanently immigrating into the United States.⁸⁸
- Voted in 1991 for an amendment to imprison HIV-positive health care workers who perform surgery.⁸⁹

Gay, Lesbian, Bisexual, Transgender Community

- Voted for the anti-gay Defense of Marriage Act in 1996.⁹⁰
- Voted for the first introduction of the Employment Non-Discrimination Act (ENDA) in 1996, which would prohibit workplace discrimination based on sexual orientation.⁹¹

- Voted for the Local Law Enforcement Enhancement Act in 2000, which would expand hate crimes laws to include sexual orientation.⁹²
- Voted against the anti-gay Federal Marriage Amendment to the U.S. Constitution in 2006.⁹³
- Average rating of 85 on the Human Rights Campaign Congressional Scorecard, 102nd to 110th Congresses.

When asked in April 2007 about his stance on same-sex marriage by host Tim Russert on “Meet the Press,” Biden replied, “I think government should not be able to dictate to religions the definition of marriage, but I think, on a civil side, government has the obligation to strip away every vestige of discrimination as to what individuals are able to do in terms of their personal conduct.”⁹⁴

At the 2008 Vice Presidential Debate at Washington University, when asked by moderator Gwen Ifill of PBS whether he supports granting benefits to same-sex couples, Biden responded, “Absolutely. Do I support granting same-sex benefits? Absolutely positively. Look, in an Obama-Biden administration, there will be absolutely no distinction from a constitutional standpoint or a legal standpoint between a same-sex and a heterosexual couple.”⁹⁵

GLOBAL

President’s Emergency Plan for AIDS Relief (PEPFAR)

As Chairman of the Senate Foreign Relations Committee, Senator Biden wrote into the reauthorization of the President’s Emergency Plan for AIDS Relief (PEPFAR II) language targeting prevention toward men who have sex with men (MSM) and calling for research on HIV incidence among MSM. This is especially important in Africa, where gay men and MSM are widely oppressed by anti-gay laws and social norms and where homosexuality is largely underground.

Prior to the passage of PEPFAR II in July 2008, Senator Biden took the following actions during the reauthorization debate:

- Co-sponsor of the HIV Prevention Act, which would lift the requirement that one-third of funding for HIV prevention overseas go to abstinence-only-until-marriage programs, and shift the funding to comprehensive prevention education.⁹⁶

In his capacity as Chairman of the Senate Foreign Relations Committee, Senator Biden outlined four key priorities for reauthorizing PEPFAR in an October 2007 hearing. They included:

- “Better integrate our HIV/AIDS efforts with our other health and development programs.
- Build health capacity in Africa. The shortage of health care workers may be the greatest obstacle in the fight against HIV/AIDS.
- Expand our efforts to address gender based violence and other inequities. Millions of women and girls do not have the power to make sexual decisions: abstinence is not an option when you lack the power to choose. Girls’ education and women’s empowerment are critical in the fight against AIDS.
- Improve our efforts to combat TB and malaria. These diseases were part of the 2003 legislation. They should be part of our discussion now.”⁹⁷

“The shortage of health care workers is the number one obstacle that we face in our efforts to fight HIV/AIDS... I strongly support efforts to increase the number of trained health care workers in the developing world.”

— Senator Joseph Biden

Comprehensive plan for global epidemic

- Co-sponsored U.S. Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2002, seeking to increase assistance to foreign countries seriously affected by the diseases.⁹⁸
- Co-sponsor of the African Health Capacity Investment Act of 2007, which would improve the capacity of health systems in sub-Saharan countries.⁹⁹
- Signed the “Presidential Pledge for Leadership on Global AIDS and Poverty” from 08STOPAIDS.org, vowing to commit \$50 billion to AIDS worldwide and establish sound evidence-based prevention policies.¹⁰⁰

In response to the AIDSVote.org Presidential Candidates Questionnaire, regarding the global AIDS epidemic, Senator Biden responded, “We should be guided by evidence, not ideology. I’d change our programs to give them the flexibility to meet local needs for local epidemics and offer more comprehensive approaches to prevention, care, and treatment. We also have to better integrate our efforts to fight AIDS with broader health and development concerns.”¹⁰¹

Biden further stated on the subject, “The shortage of health care workers is the number one obstacle that we face in our efforts to fight HIV/AIDS... I strongly support efforts to increase the number of trained health care workers in the developing world.”¹⁰²

In his remarks as Chairman of the Senate Foreign Relations Committee in a hearing on the “Next Phase of the Global Fight Against HIV/AIDS” in October 2007, Senator Biden commented, “We are not keeping pace with the pandemic. For every person who enrolled in a treatment program last year, six more became newly infected. The United States and its partners need to devote more funds to this effort, but it’s not just a question of more money, it’s a question of how we spend it.” He continued, “...we must do more on prevention. The math is brutally clear: we cannot keep up with the current pace of the epidemic through treatment programs. To slow its deadly progress we must expand and improve prevention efforts.”¹⁰³

APPENDIX:
FEDERAL LEGISLATION ON HIV/AIDS ISSUES
102ND – 110TH CONGRESSES
1991 – 2008

110TH CONGRESS

(January 3, 2007 – January 3, 2009)

Current Legislation in both the Senate and the House

Microbicide Development Act, S.823, H.R.1420

Microbicides, both vaginal and rectal, are a new class of topical products under development that could reduce the risk of transmission of HIV and other sexually transmitted diseases. Researchers estimate that a safe and effective microbicide could be available within five to seven years and that even a partially effective microbicide could avert 2.5 million new HIV infections worldwide in women, men, and children within three years. The Microbicide Development Act (MDA) would coordinate the research and development effort among federal agencies and increase funding for research.

Sponsorship

Senate Primary Sponsor: Obama

Responsible Education About Life (REAL) Act, S.972, H.R.1653

Despite extensive research showing the ineffectiveness of abstinence-only-until-marriage programs, Congress has allotted over \$1 billion dollars to abstinence-only education since 1996. Studies have consistently shown that comprehensive sex education helps youth to make healthy decisions about sex. Youth who receive accurate information about contraception and condoms are more likely than their counterparts who receive abstinence-only messages to make use of contraceptives when they become sexually active. The REAL Act would provide a federal grant program for states for comprehensive sex education and would allow states to secure this funding without having to promise to teach abstinence-only curricula.

Sponsorship

Senate Co-sponsor: Neither candidate

Prevention First Act, S.21, H.R.819

The Prevention First Act would provide a comprehensive approach to expand health care access for preventative health care services and improve access to women's health care, using a wide range of approaches. The Prevention First Act is an omnibus bill incorporating the text of the Responsible Education About Life Act (REAL Act), as well as the Unintended Pregnancy Reduction Act, the Compassionate Assistance for Rape Emergencies Act, and other bills seeking to expand access to preventive health care services that would reduce unintended pregnancy, reduce abortion, and improve women's health care by creating grants for states for comprehensive sex education programs and other education measures.

Sponsorship

Senate Co-sponsors: Obama, Biden

Early Treatment for HIV Act (ETHA), S.860, H.R.3326

Early access to care and treatment can delay the progression from HIV to full-blown AIDS. Currently, in many states, low-income HIV-positive individuals who have not progressed to an AIDS diagnosis are ineligible for Medicaid coverage that could significantly improve their health and give them access to essential treatment. ETHA would allow states to amend their Medicaid eligibility requirements to extend Medicaid coverage to the option to provide Medicaid coverage to low-income, HIV-positive Americans living below the poverty level. The Early Treatment for HIV Act (ETHA) has been introduced in the 106th, 107th, 108th, 109th, and 110th Congresses.

Sponsorship

Senate Co-sponsor: Obama

African Health Capacity Investment Act of 2007, S.805, H.R.3812

The African Health Capacity Investment Act seeks to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

Sponsorship

Senate Co-sponsor: Obama, Biden

Current Legislation in the Senate only

HIV Prevention Act, S.1553

The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 requires that 33% of HIV prevention funds given to developing countries through the President's Emergency Plan for AIDS Relief (PEPFAR) be dedicated to abstinence-only programs. The HIV Prevention Act of 2007 would permanently strike this one-third abstinence-only funding restriction from PEPFAR funding.

Sponsorship

Co-sponsor: Obama, Biden

109TH CONGRESS

(January 3, 2005 – January 3, 2007)

Legislation in both the Senate and the House

Federal Marriage Amendment, S.J. Res. 1, H.J. Res. 88

The Federal Marriage Amendment would permanently write discrimination into the U.S. Constitution by defining marriage as the union between one man and one woman, and it would prohibit federal and state governments from conferring marital status and “the legal incidents thereof” upon same-sex couples. The amendment would also endanger civil unions and domestic partnership benefits. The amendment failed by a vote of 49-48, falling 11 votes short of the 60 necessary to invoke cloture, a procedural motion to advance to a vote on the substance of the bill (Roll Call Vote 163, 2nd Session). The amendment would have needed 67 votes (two-thirds majority) to pass. (Yes — 2 Democrats/47 Republicans; No — 40 Democrats/7 Republicans/1 Independent)

Senate

Voted with the LGBT community:

McCain, Obama, Biden

Voted against the LGBT community:

None of the Candidates serving in the Senate

Legislation in the Senate only

International Cooperation to Meet the Millennium Development Goals Act, S.1315

At the United Nations Millennium Summit in 2000, the United States joined more than 180 other countries in committing to work toward goals to improve life for the world's poorest people by 2015. This act was introduced and passed in the Senate in 2005 to remind the U.S. leadership of its previous financial commitment to development efforts in other nations, facilitate debt cancellation for the most indebted countries, and continue the international fight against HIV and AIDS by fully funding its international initiatives. The bill passed the Senate by unanimous consent.

Co-sponsor:

Obama

(NOTE: Senator Barack Obama began service in the U.S. Senate in January 2005, during the 109th Congress.)

108TH CONGRESS

(January 3, 2003 – January 3, 2005)

Legislation in both the Senate and the House

Early Treatment for HIV Act (ETHA), S.847, H.R.3859

Early access to care and treatment can delay the progression from HIV to full-blown AIDS. Currently, in many states, low-income HIV-positive individuals who have not progressed to an AIDS diagnosis are ineligible for Medicaid coverage that could significantly improve their health and give them access to essential treatment. ETHA would offer states the option to provide Medicaid coverage to low-income, HIV-positive Americans living below the poverty level.

Senate Co-sponsors:

Neither McCain or Biden

107TH CONGRESS

(January 3, 2001 – January 3, 2003)

Legislation in both the Senate and the House

United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2002, S.2525, H.R.2069

This Act was introduced to amend the Foreign Assistance Act of 1961 to increase assistance for foreign countries seriously affected by HIV/AIDS, tuberculosis, and malaria. It gave funding and

programmatic direction to the Department of Health and Human Services and also to United States Agency for International Development (USAID) to act internationally with respect to prevention efforts for HIV/AIDS, tuberculosis, and malaria. The bill directed special provisions focusing on prevention for young people, women, and children at risk of and infected with HIV. The bill passed both the House and the Senate.

Sponsorship

Senate Co-sponsors: Biden

Legislation in the Senate only

International AIDS Treatment and Prevention Act of 2002, S.2649

A bill to provide assistance to combat the HIV/AIDS pandemic in developing foreign countries. This bill was introduced into the Senate and then was reported in committee with recommendations for a favorable substitute bill. Eventually was incorporated into S.2525 (see above).

Sponsorship

Senate Co-sponsors: Neither McCain or Biden

106TH CONGRESS

(January 3, 1999 – January 3, 2001)

Legislation in both the Senate and the House

Ryan White CARE Act re-authorization, S.2311, H.R.

Co-sponsorship of Ryan White re-authorization, introduced March 29, 2000. The Ryan White CARE Act represents the largest and most critical discretionary federal investment in HIV/AIDS treatment. 52 Co-sponsors total (Democrats – 34; Republicans – 18). House vote 411 to 0, with 22 not voting.

Senate

Voted with the HIV/AIDS community: Biden

Voted against the HIV/AIDS community: McCain

105TH CONGRESS

(January 3, 1997 – January 3, 1999)

Legislation in the Senate only

Satcher Nomination to be U.S. Surgeon General

On February 10, 1998 the Senate confirmed Dr. David Satcher to be the U.S. Surgeon General and Assistant Secretary for Health by a vote of 63 to 35. (Yes – 44 Democrats/19 Republicans; No – 0 Democrats/35 Republicans)

Voted with HIV/AIDS community: McCain, Biden

Voted against HIV/AIDS community: None of the Candidates serving in the Senate

104TH CONGRESS

(January 3, 1995 – January 3, 1997)

Legislation in both the Senate and the House

Defense of Marriage Act, H.R.3396 (Final Passage)

Introduced by Rep. Bob Barr (R-GA) in the House and Sen. Don Nickles (R-OK) in the Senate, aimed against same-sex marriage, despite the fact that no state at the time allowed marriage for same-sex couples. The bill passed the House on July 12, 1996 by a vote of 342 to 67. (Yes – 118 Democrats/224 Republicans; No – 65 Democrats/1 Republican); and passed the Senate on September 10, 1996 by a vote of 85 to 14. (Yes – 31 Democrats/54 Republicans; No – 14 Democrats/0 Republicans)

Senate

Voted with gay and lesbian community: None of the Candidates serving in the Senate

Voted against gay and lesbian community: McCain, Biden

Legislation in the Senate only

Helms anti-gay amendment to Ryan White

Sen. Jesse Helms (R-NC) introduced an amendment to the Ryan White CARE Act re-authorization to cut off funding to local gay community health centers providing HIV/AIDS care. The amendment passed on July 27, 1995 by a vote of 54 to 45. (Yes – 14 Democrats/40 Republicans; No – 32 Democrats/13 Republicans)

Voted with HIV/AIDS community: Biden

Voted against HIV/AIDS community: McCain

Employment Non-Discrimination Act (First Introduction)

ENDA prohibits anti-gay discrimination in the workplace. Upon its very first introduction in the Senate, the bill was defeated by one vote on September 10, 1996 by a vote of 49 to 50. ENDA supporter Sen. David Pryor (D-AR) was absent from the Senate due to a family emergency. Vice President Al Gore was on standby to cast a tie-breaking vote and would have voted for its passage. (Yes – 41 Democrats/8 Republicans; No – 7 Democrats/43 Republicans)

Voted with gay and lesbian community: Biden

Voted against gay and lesbian community: McCain

103RD CONGRESS

(January 3, 1993 – January 3, 1995)

Legislation in both the Senate and the House

HIV Immigration Ban, H.R.887

The Senate voted on February 18, 1993 and the House voted on March 11, 1993 to prohibit the permanent immigration of HIV+ individuals into the United States. The bill passed the Senate

by a vote of 76 to 23. (Yes – 34 Democrats/42 Republicans; No – 22 Democrats/1 Republican); and the bill passed the House by a vote of 356 to 58. (Yes – 185 Democrats/171 Republicans; No – 57 Democrats/0 Republicans)

Senate

Voted with HIV/AIDS community:	Neither
Voted against HIV/AIDS community:	Biden, McCain

Legislation in the Senate only

Elders Nomination to be U.S. Surgeon General

On September 7, 1993 the Senate confirmed Dr. Joycelyn Elders to be the U.S. Surgeon General by a vote of 65 to 34. (Yes – 52 Democrats/13 Republicans; No – 4 Democrats/30 Republicans)

Voted with HIV/AIDS community:	Biden
Voted against HIV/AIDS community:	McCain

102ND CONGRESS

(January 3, 1991 – January 3, 1993)

Legislation in the Senate only

Punishment of HIV-positive Health Care Workers

Sen. Jesse Helms (R-NC) introduced an amendment to fine and imprison for no less than ten years HIV+ health care workers who perform surgery. The amendment passed on July 18, 1991 by a vote of 81 to 18.

Voted with HIV/AIDS community:	None of the Candidates serving in the Senate
Voted against HIV/AIDS community:	McCain, Biden

Non-Consensual HIV Testing

Sen. Jesse Helms (R-NC) introduced an amendment allowing health care professionals to test patients for HIV prior to surgery without their consent. The amendment passed on July 30, 1991 by a vote of 55 to 44.

Voted with HIV/AIDS community:	Biden
Voted against HIV/AIDS community:	McCain

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Our mission: GMHC fights to end the AIDS epidemic and uplift the lives of all affected.

For more information, please call the Hotline or visit our Web site.

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