

Doing the Right Thing on HIV Travel Ban

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WASHINGTON, DC - AIIA commends Congress and the President for enacting the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis and Malaria Reauthorization Act which includes an important provision that repeals a controversial immigration law barring HIV-positive individuals from entering the U.S. This provision repealing the HIV travel/immigration ban returns the authority to the Department of Health and Human Services to determine whether HIV-positive individuals should be permitted to travel to the U.S.

While the Department of Health and Human Services evaluates all other diseases to determine if a travel ban is appropriate, only HIV was designated as a ground of inadmissibility in the statute. AIIA welcomes this change in law and urges the Department of Health and Human Services to remove HIV from the list of diseases that render individuals inadmissible to the U.S.

"This is a win for human decency and human rights," said AIIA President Charles Kuck. "The outright ban on travel was a draconian policy that was a relic of the days when HIV transmission was less understood and was a source of unfounded fear about the disease."

Kuck continued, "We urge the Department of Health and Human Services to take the next step and remove HIV from the list of diseases that bar people from coming to the U.S. The United States has enforced this antiquated immigration policy for too long with no public health rationale for discriminating against HIV-positive people in such a severe manner."

The ban, a long-standing discriminatory policy against individuals with HIV/AIDS, was enacted in 1987 at a time of rampant fear about the HIV virus and how it is spread. The ban created one of the world's harshest immigration policies for individuals who are HIV-positive: the U.S. was one of only 12 countries including Iraq, Libya and Syria that ban travel for individuals with HIV.

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The American Immigration Lawyers Association is the national association of immigration lawyers established to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members. For more information call George Tzamaras at 202-507-7649 or Annie Wilson at 202-507-7653.