

FOIA MARKER

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Subseries:

OA/ID Number: 21087
FolderID:

Folder Title:
Conference - 9/98 - Human Rights Campaign

Stack:	Row:	Section:	Shelf:	Position:
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TS Comments

Status of epidemic

- declines in death and cases
- disparities by race and gender - CBC
- no change in new infections
- internationally, 5.8 million per year
- 40 million orphans by 2010

CONF - 9/98 - Human
Rights Campaign

Appropriations

- Ryan White
 - Largest increase in President's budget (\$165 million)
 - House is about \$15 million more
 - Senate is \$52 million more, but with tricks
- Prevention
 - President's budget included \$5 million increase - Race and Health
 - House had \$11 million more
 - Senate had \$8.4 million more

HoPWA -

Treatment Access

- VP's request for analysis
- Results of analysis
- Task Force
- Recent data (UCSF, New Haven)
- Looking at options
 - ADAP (\$100 million increase in FY99 budget proposal)
 - State waivers
 - Managed care standards

Vaccine Initiative

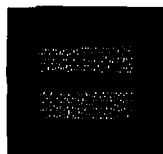
- President's initiative
- Increase in funding
- Vaccine center
- Reality of timeframe

Environment

- Exec Order
- ~~At~~ L & G appointees group

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HRC Participation
in media &
debate



HUMAN
RIGHTS
CAMPAIGN

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Washington, DC 20005
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fax 202 347 5323

FAX TRANSMISSION

DATE: September 15, 1998

TO: Todd Summers

FAX #: (202) 456 - 2438

NUMBER OF PAGES: 3
(including cover)

FROM: Seth Kilbourn: Senior Health Policy Advocate
Direct Dial: (202) 216 - 1526
E-Mail: seth.kilbourn@hrc.org

If you have any problem with this transmission, please call (202) 628-4160.

Todd: Here is the information on OutVote and the two sessions in which you are participating. The hotel is the Marriot Wardham Park Hotel: 2660 Woodley Rd at Connecticut Avenue. We have you scheduled to participate in the "Federal Issues Update" session on Saturday from 8:30-10:15 am and again from 10:30 am 12:00.

We would like you to talk for about 10 minutes on HIV/AIDS care, prevention and research. Obviously just the quick highlights. If you would include funding issues, Medicaid expansion and the vaccine initiative, that would be great. Call me!!

SK

CONFIDENTIALITY NOTICE

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4:00 PM - 4:15 PM

4:15 PM - 5:45 PM

9:00 PM - Midnight

Saturday, Sept. 19

8:30 AM - 10:15 AM

10:15 AM - 10:30 AM

10:30 AM - 12:00 PM

12:15 PM - 1:30 PM

7:30 PM - 12:30 AM

Sunday, Sept. 20

9:00 AM - 11:00 AM

Break**Afternoon Plenary**

Leaders from the White House, U.S. Congress and community discuss political issues important to our community. Join this session for a look at where we are going as a movement. HRC Political Director Winnie Stachelberg is our emcee. Other speakers include: Assistant to the President Virginia Apuzzo, the Rev. Jesse Jackson, Seattle City Councilmember Tina Podlodowski, U.S. Rep. Barney Frank, D-Mass., Deputy Small Business Administrator Fred Hochberg and HRC National Field Director Donna Red Wing.

Cotillion Ballroom**Comedy Night**

Karen Williams and Suzanne Westenhoefer bring their own brand of comic relief to the nation's capital. For tickets, visit the registration area or purchase them at the door.

Exhibit Hall A**Workshop Session III***Out at the Polls*

Wisconsin Suite

State-Level Issues and Strategies

Kansas Suite

*The Young and the Restless: The Role**of Young Activists in Political Campaigns*

Vermont Suite

Public Speaking: Getting Ready for Prime Time

Colorado Suite

Federal Issues Update and Strategy

Idaho Suite

Ask! People for Money Face to Face

Warren Suite

*Strategies for Implementing Domestic**Partner Benefits*

Calvert Suite

Lobbying 101

Marshall Suite

*Winning and Keeping the Freedom to Marry:**Affirmative and Defensive Strategies*

Woodley Suite

Break**Workshop Session IV***Out in Campaigns*

Wisconsin Suite

State-Level Issues and Strategies

Kansas Suite

Organizing on Campus

Vermont Suite

Public Speaking: Getting Ready for Prime Time

Colorado Suite

Federal Issues Update and Strategy

Idaho Suite

*For-Domestic Partner Benefits: Where Do**GLBT Employee Groups Go From Here?*

Calvert Suite

*Update on Gay & Lesbian Legal Issues**and Legislation*

Marshall Suite

Closing Plenary**Exhibit Hall A**

Dr. Jackie Young, manager of the grassroots campaign Protect Our Constitution will give the latest news in the fight for gay marriage in Hawaii. Other speakers, including political strategist David Mizner, will talk about how we mobilize fair-minded Americans to vote in this fall's elections. HRC Education Director Kim I Mills emcees. Plus, you'll meet the graduates of HRC's second Youth College — our community's next generation of leaders.

Second Annual National Dinner**Marriott Ballroom**

Featuring Vice President Al Gore, Dr. Maya Angelou, and National Family Civil Rights Awards recipients Melissa Etheridge and her partner, Julie Cypher.

Interfaith Service**Exhibit Hall A**

Featuring the Rev. Enkyn Pat O'Hara, the Rev. Welton Gaddy, Rabbi Marc Israel and Marianne Duddy. A collection taken during the service will benefit Grandma's House, a Washington, D.C.-based service provider for HIV-positive children.

OutVote '98 Workshop Descriptions

Workshop Session IV
Saturday, Sept. 19, 10:30 A.M. - 12:00 P.M.

✓ Out in Campaigns - Wisconsin Suite

While openly gay people are running for office across the country, this wasn't always the case. And running as an out gay person has benefits and dangers. Here's where you can get the latest on the current crop of out candidates, how they're faring in the world at large and what their prospects are. And, if you're thinking about running yourself, this is the panel for you.

Presenters: Kathleen DeBold, Pam Cuthbert, Neil Giuliano, Barbara Kavanaugh, Michael Pisaturo and Dan Stewart.

Moderator: Kevin Layton.

✓ State-Level Issues and Strategies - Kansas Suite

If the gay community is to succeed in the quest for full equality, we must be as powerful and focused on the state level as we are at the national. Hear from some leaders of the most effective statewide LGBT organizations about the challenges they have faced and tactics they are using to win on the frontlines.

Presenters: Dianne Hardy-Garcia, M.K. Cullen, Harry Knox, Ann DeGroot.

Moderator/presenter: Donna Red Wing.

Organizing on Campus - Vermont Suite

Campuses have long been a hotbed of activism and public debate. What are some of the ways to harness this energy and funnel it toward lasting social change? And how can we grow today's campus leaders into tomorrow's community leaders and elected officials?

Presenter: Melinda Sawyer.

Moderator: Tiffany Newton

Public Speaking: Getting Ready for Prime Time - Colorado Suite

Does public speaking make your knees knock and your palms sweat? Do you worry that you're not ready for your close up—and might never be?? HRC has brought in some of Washington's top communications specialists, people who can make you ready for prime time, and any time you have to address the public.

Presenters: Ellen Beard, Susan Bennett.
Moderator: David M. Smith.

10³⁰ - 12⁰⁰
8³⁰ - 10¹⁵

What's happening with the Employment Non-Discrimination Act? Will Congress ever pass a law enabling federal prosecution of hate crimes against our community? Are we making progress in the fight against HRIV/AIDS? Find out what we might expect after Election Day, and what you can do to help pass laws that will better the lives of the LGBT community.

Presenters: Melody Barnes, Rob Cagorno, Todd Summers.

Moderator/presenter: Seth Kilbourn.

Post-Domestic Partner Benefits: Where Do GLBT Employee Groups Go From Here? - Cabinet Suite

Gay and lesbian employee groups often lose momentum once they've achieved domestic partner benefits and a non-discrimination policy. But there is much more to do to make sure employers are truly committed to full equality. Join this interactive session to discuss how to build coalitions with other individuals and groups; how to integrate partnerships with community organizations; and how to weave gay and lesbian concerns into the larger culture of the organization.

Presenter: Kim Cromwell.

Moderator: Kim I. Mills.

Update on Gay & Lesbian Legal Issues and Legislation - Marshall Suite

In what areas of law have we made progress? Where are we most under attack? Join some of the nation's top gay and lesbian civil rights lawyers as they report on significant developments affecting lesbians and gay men, including employment law; marriage, adoption and custody issues; domestic partnerships; health care law; sodomy law, and the military.

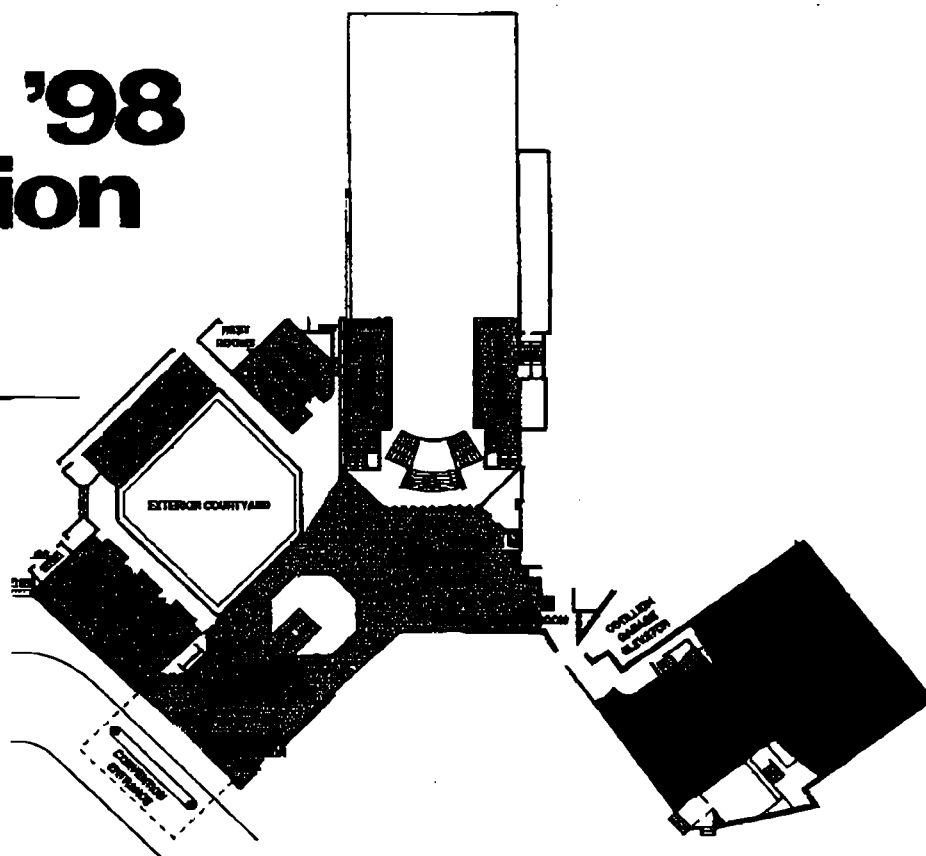
Presenters: Michael Adams, Mary Bonauto, Arthur S. Leonard, Kathryn Dean Kendell, C. Dixon

✓ Osburn, Evan Wolfson.

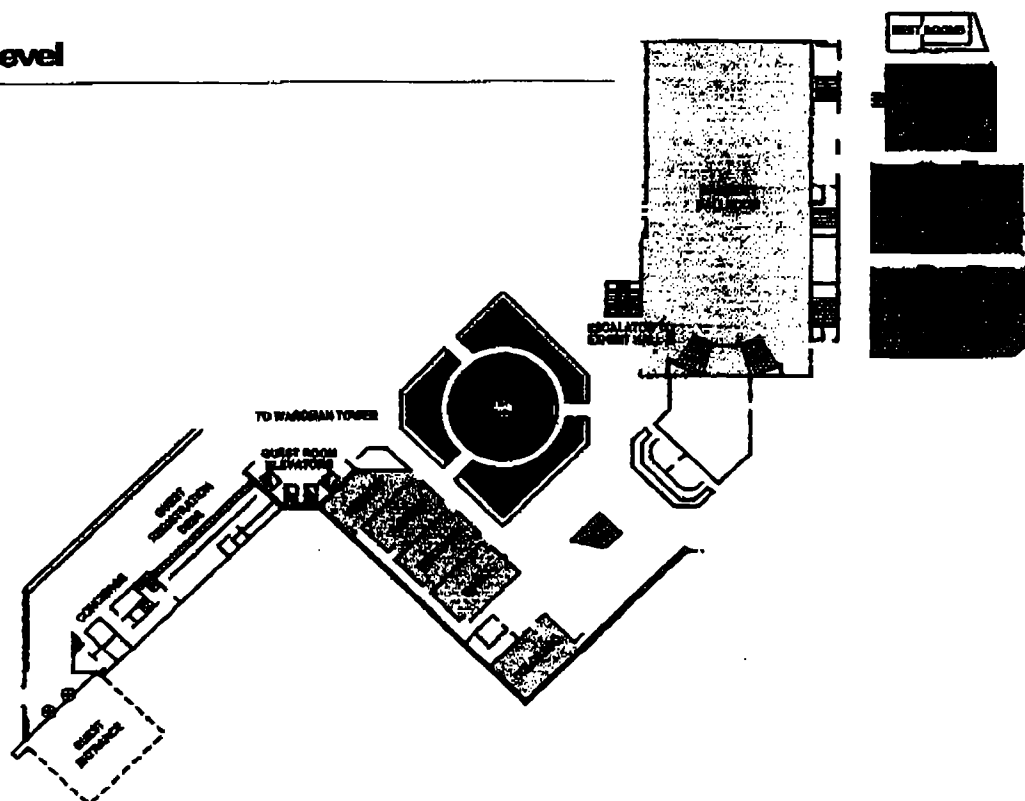
Moderator: Tony Varona.

OutVote '98 Convention Map

Upper Level

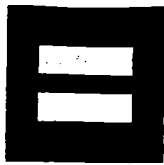


Lower Level



A Note About Breakfast and Lunch

In order to keep conference fees affordable, there are no meals included in your OutVote '98 registration fee. Tickets for the Friday afternoon luncheon are \$20 and are available in the OutVote '98 registration area. Also, for your convenience, the Marriott Wardman Park Hotel will provide a cash breakfast buffet on Friday and Saturday mornings.



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ENDA SUMMARY

Employment Non-Discrimination Act (ENDA)

What ENDA Does:

- extends federal employment discrimination protections currently provided based on race, religion, gender, national origin, age and disability to sexual orientation. Thus, ENDA extends **fair employment practices** – not special rights – to lesbians, gay men, bisexuals and heterosexuals.
- prohibits employers, employment agencies, and labor unions from using an individual's sexual orientation as the **basis for employment decisions**, such as hiring, firing, promotion, or compensation.
- prohibits covered entities from subjecting an individual to **different standards or treatment** based on that individual's sexual orientation (real or perceived) or discriminating against an individual based on the sexual orientation of those with whom the individual associates.
- provides for the **same procedures, and similar, but somewhat more limited, remedies** as are permitted under Title VII and the Americans with Disabilities Act (ADA).
- **applies to Congress**, with the same procedures as provided by the Congressional Accountability Act of 1995, and **presidential employees** with the same procedures as provided under the Presidential and Executive Office Accountability Act of 1996.

What ENDA Does Not Do:

- does not cover **small businesses** with fewer than 15 employees.
- does not cover **religious organizations**, including educational institutions substantially controlled or supported by religious organizations. The bill only covers employees whose duties pertain solely to a religious organization's activities which generate profits deemed taxable by the Internal Revenue Service.
- does not **apply to the uniformed members of the armed forces** and thus does not affect current law on lesbians and gay men in the military.
- does not **allow preferential treatment**, including quotas, based on sexual orientation.
- does not allow for a "**disparate impact**" claim available under Title VII of the Civil Rights Act of 1964 (Title VII). Therefore, an employer is not required to justify a neutral practice that may have a statistically disparate impact on sexual orientation.
- does not **require an employer to provide benefits** for the same-sex partner of an employee.
- does not **apply retroactively**.



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ENDA

Cosponsors of the Employment Non-Discrimination Act (ENDA)

H.R. 1858/S. 869

June 30, 1998

<u>AL</u> Hilliard	<u>CT</u> DODD LIEBERMAN*	<u>IN</u> Carson	<u>MN</u> WELLSTONE Luther Sabo Vento	Manton McNulty Meeks Nadler Owens Rangel Schumer Serrano Slaughter Towns Velazquez	<u>TN</u> Ford, Jr.
<u>AS</u> Faleomavaega	DeLauro Gejdenson <i>Johnson</i> Kennelly Maloney <i>Shays*</i>	<u>IA</u> HARKIN <i>Leach</i>	<u>MS</u> Thompson		<u>TX</u> Frost Gonzalez Hinojosa Jackson Lee Johnson Reyes Rodriguez
<u>AZ</u> <i>Kolbe</i> Pastor		<u>LA</u> LANDRIEU Jefferson	<u>MO</u> Clay Gephardt McCarthy		
<u>CA</u> BOXER FEINSTEIN Becerra Berman Brown <i>Campbell</i> Capps Dixon Eshoo Farr Fazio Filner Harman <i>Horn</i> Lantos Lee Lofgren Martinez Matsui Millender- McDonald Miller Pelosi Roybal-Allard Sanchez Sherman Stark Tauscher Torres Waters Waxman Woolsey	<u>DC</u> Norton	<u>ME</u> Allen Baldacci	<u>NE</u> KERREY	<u>NC</u> Clayton Watt	<u>VT</u> <i>JEFFORDS*</i> LEAHY Sanders
	<u>FL</u> Deutsch Hastings Meek Thurman Wexler	<u>MD</u> MIKULSKI SARBANES Cardin Cummings Hoyer <i>Morella</i> Wynn	<u>NV</u> BRYAN REID	<u>OH</u> GLENN Brown Kucinich Sawyer Stokes Traficant	<u>Virgin Islands</u> Christian-Green
	<u>GA</u> CLELAND Lewis McKinney		<u>NI</u> LAUTENBERG TORRICELLI Andrews <i>Frelinghuysen</i> Menendez Pallone Pascarell Payne Rothman		<u>VA</u> ROBB Moran
	<u>Guam</u> Underwood	<u>MA</u> KENNEDY* KERRY Delahunt <i>Frank*</i> Kennedy Markey McGovern Meehan Moakley Neal Olver Tierney		<u>OR</u> WYDEN Blumenauer DeFazio Furse Hooley	<u>WA</u> MURRAY Dicks McDermott Smith, A.
	<u>HI</u> AKAKA INOUE Abercombie Mink		<u>NM</u> BINGAMAN	<u>PA</u> Coyne Fattah Foglietta # <i>Greenwood</i> Klink McHale	<u>WI</u> FEINGOLD KOHL Barrett Johnson Kind
	<u>IL</u> DURBIN MOSELEY- BRAUN Blagojevich Davis Evans Gutierrez Jackson, Jr. Rush Yates	<u>MI</u> LEVIN Bonior Conyers Kildee Kilpatrick Levin Rivers Stabenow	<u>NY</u> <i>DAMATO</i> MOYNIHAN Ackerman <i>Boehlers</i> Engel <i>Gilman</i> Hinchey <i>Kelly</i> Lowey McCarthy Maloney		* Lead Sponsors <i>Italics -</i> <i>Republicans</i> # - no longer in Congress
<u>CO</u> DeGette Skaggs				<u>RI</u> <i>CHAFEE</i> REED Kennedy Weygand	TOTAL: 192
				<u>SC</u> Clyburn	House: 157 Senate: 35



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**10 STATES AND THE DISTRICT OF COLUMBIA PROHIBIT WORKPLACE
DISCRIMINATION BASED ON SEXUAL ORIENTATION**

California
Connecticut
Hawaii
Massachusetts
Minnesota
New Hampshire
New Jersey
Rhode Island
Vermont
Wisconsin

District of Columbia

**8 STATES PROHIBIT WORKPLACE DISCRIMINATION ON THE BASIS OF
SEXUAL ORIENTATION BY EXECUTIVE ORDER**

Colorado
Louisiana
Maryland
New Mexico
New York
Ohio
Pennsylvania
Washington

**2 STATES PROHIBIT WORKPLACE DISCRIMINATION ON THE BASIS OF
SEXUAL ORIENTATION BY STATE CIVIL SERVICE RULES**

Illinois
Michigan

WORKING FOR LESBIAN AND GAY EQUAL RIGHTS.

919 18th Street NW, Suite 800 Washington, D.C. 20006
phone (202) 628 4160 fax (202) 347 5323 e-mail hrc@hrc.org





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ENDA

CHURCHES AND RELIGIOUS ORGANIZATIONS ENDORISING THE EMPLOYMENT NON-DISCRIMINATION ACT

American Ethical Union
American Friends Service Committee
American Jewish Committee
American Jewish Congress
Church of the Brethren
Church Women United
Dignity/USA
Episcopal Church
Evangelical Lutheran Church in America
Hadassah, WZOA
The Interfaith Alliance
Jewish Women International (formaly B'nai B'rith Women)
Lutheran Office for Governmental Affairs - Evangelical Lutheran Church in
America
National Council of Churches
National Council of Churches of Christ in the USA
National Council of Jewish Women
North Georgia United Methodists
Presbyterian Church (USA)
Union of American Hebrew Congregations, Religious Action Center
Unitarian Universalist Association
United Church of Christ (Office for Church and Society)
United Methodist Church, General Board of Church and Society
Women of Reform Judaism, The Federation of Temple Sisterhoods
Young Womens' Christian Association (USA)



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Businesses for ENDA

Corporations Endorsing the Employment Non-Discrimination Act (ENDA)

APPLE COMPUTER
AOL
AT & T
BANK BOSTON
BANKERS TRUST
BELL ATLANTIC
BEN AND JERRY'S HOMEMADE ICE CREAM
BETHLEHEM STEEL CORPORATION
BORLAND INTERNATIONAL
DIGI-NET SYNDICATION
EASTMAN KODAK
FIRST BANK SYSTEM
FRANKLIN RESEARCH
GENENTECH
HARLEY DAVIDSON
HILL AND KNOWLTON
HONEYWELL
INLAND STEEL INDUSTRIES
LOUIS DREYFUS ENERGY CORPORATION
MERRILL LYNCH
MICROSOFT
MILLIPORE CORPORATION
NORTHERN STATES POWER COMPANY
PACIFIC GAS AND ELECTRIC
PACIFIC TELESIS GROUP
POLAROID
THE PRUDENTIAL INSURANCE COMPANY
THE QUAKER OATS COMPANY
TIME WARNER
QUARK
RJR NABISCO
SILICON GRAPHICS
WAINWRIGHT BANK
XEROX

*List In Progress

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May 20, 1998



**HUMAN
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Senators who have indicated in writing to the Human Rights Campaign that sexual orientation is not a consideration in the hiring, promoting or terminating of an employee in their congressional office.

As of July 31, 1998 total to date: 65 Senators of the 105th Congress.

REPUBLICANS (24)

BOND, CHRISTOPHER	(MO)
BURNS, CONRAD	(MT)
CAMPBELL, BEN N.	(CO)
CHAFEE, JOHN	(RI)
COCHRAN, THAD	(MS)
COLLINS, SUSAN M.	(ME)
COVERDELL, PAUL	(GA)
D'AMATO, ALFONSE	(NY)
DeWINE, MIKE	(OH)
DOMENICI, PETE	(NM)
GORTON, SLADE	(WA)
GREGG, JUDD	(NH)
HUTCHISON, KAY BAILEY	(TX)
JEFFORDS, JAMES	(VT)
LUGAR, RICHARD	(IN)
MACK, CONNIE	(FL)
MCCAIN, JOHN	(AZ)
ROTH, WILLIAM	(DE)
SANTORUM, RICK	(PA)
SMITH, GORDON H.	(OR)
SNOWE, OLYMPIA	(ME)
SPECTER, ARLEN	(PA)
THOMAS, CRAIG	(WY)
THOMPSON, FRED	(TN)

DEMOCRATS (41)

AKAKA, DANIEL	(HI)
BAUCUS, MAX	(MT)
BIDEN, JOSEPH	(DE)
BINGAMAN, JEFF	(NM)
BOXER, BARBARA	(CA)
BREAUX, JOHN	(LA)
BRYAN, RICHARD	(NV)
BYRD, ROBERT	(WV)
CLELAND, MAX	(GA)
DASCHLE, THOMAS	(SD)
DODD, CHRISTOPHER	(CT)
DORGAN, BYRON	(ND)
DURBIN, RICHARD	(IL)
FEINGOLD, RUSSELL	(WI)
FEINSTEIN, DIANNE	(CA)
GLENN, JOHN	(OH)
GRAHAM, BOB	(FL)
HARKIN, TOM	(IA)
INOUE, DANIEL	(HI)
JOHNSON, TIM	(SD)
LANDRIEU, MARY	(LA)
KENNEDY, EDWARD	(MA)
KERREY, ROBERT J.	(NE)
KERRY, JOHN	(MA)
KOHL, HERB	(WI)
LAUTENBERG, FRANK	(NJ)
LEAHY, PATRICK	(VT)
LEVIN, CARL	(MI)
LIEBERMAN, JOSEPH	(CT)
MIKULSKI, BARBARA	(MD)
MOSELEY-BRAUN, CAROL	(IL)
MOYNIHAN, DANIEL P.	(NY)
MURRAY, PATTY	(WA)
REED, JACK	(RI)
REID, HARRY	(NV)
ROBB, CHARLES	(VA)
ROCKEFELLER, J. JAY	(WV)
SARBANES, PAUL	(MD)
TORRICELLI, ROBERT	(NJ)
WELLSTONE, PAUL	(MN)
WYDEN, RON	(OR)

WORKING FOR LESBIAN AND GAY EQUAL RIGHTS.

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Representatives who have indicated in writing to the Human Rights Campaign that sexual orientation is not a consideration in the hiring, promoting, or terminating of an employee in their congressional office.

As of July 31, 1998, total to date: **246 Representatives of the 105th Congress.**

REPUBLICANS

(71):

BALLENGER, T. CASS
BASS, CHARLES
BEREUTER, DOUG
BILBRAY, BRIAN
BILIRAKIS, MICHAEL
BLILEY, THOMAS J.
BOEHLERT, S.
CAMP, DAVE
CAMPBELL, TOM
CASTLE, MICHAEL
CUNNINGHAM, DUKE
DAVIS, TOM
DIAZ-BALART, L.
DUNN, JENNIFER
ENSIGN, JOHN
ENGLISH, PHIL
EHRlich, ROBERT
FAWELL, HARRIS
FOLEY, MARK
FORBES, MICHAEL
FOWLER, TILLIE
FOX, JON
FRANKS, BOB
FRELINGHUYSEN, R.P.
GILCHREST, WAYNE
GILMAN, BENJAMIN
GOODLING, WILLIAM
GOSS, PORTER
GRANGER, KAY
GREENWOOD, JAMES
HOBSON, DAVID
HORN, STEVE
HOUGHTON, AMO
JOHNSON, NANCY
KASICH, JOHN
KELLY, SUE
KLUG, SCOTT
KNOLLENBERG, JOE
KOLBE, JIM
LaHOOD, RAY
LaTOURETTE, STEVEN
LATHAM, TOM
LAZIO, RICK
LEACH, JIM
LEWIS, JERRY
LINDER, JOHN
LIVINGSTON, BOB
LoBIONDO, FRANK
McCRERY, JIM
McHUGH, JOHN
McINNIS, SCOTT
MICA, JOHN
MILLER, DAN
MORELLA, CONNIE
NUSSLE, JIM
PORTMAN, ROB
PRYCE, DEBORAH
QUINN, JACK
REGULA, RALPH
RIGGS, FRANK
ROGAN, JAMES
ROS-LEHTINEN, I.
SAXTON, JIM
SCHIFF, STEVEN
SENSENBRENNER, J.
SHAW, E. CLAY

SHAYS, CHRISTOPHER
THOMAS, WILLIAM
UPTON, FRED
WALSH, JAMES
WELLER, JERRY

**DEMOCRATS/
INDEPENDENTS**

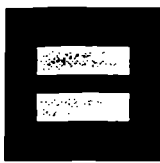
(175):

ABERCROMBIE, NEIL
ACKERMAN, GARY
ALLEN, THOMAS
ANDREWS, ROBERT
BALDACCI, JOHN
BARCIA, JAMES
BARRETT, TOM
BECERRA, XAVIER
BENTSEN, KEN
BERMAN, HOWARD
BISHOP, SANFORD
BLAGOJEVICH, ROD
BLUMENAUER, EARL
BONIOR, DAVID
BORSKI, ROBERT
BOSWELL, LEONARD
BROWN, CORINE
BROWN, GEORGE
BROWN, SHERROD
CAPPS, LOIS
CARDIN, BENJAMIN
CARSON, JULIA
CLAY, WILLIAM
CLAYTON, EVA
CLEMENT, BOB
CLYBURN, JIM
CONDIT, GARY
CONYERS, JOHN
COSTELLO, JERRY
COYNE, BILL
CUMMINGS, ELIJAH
DAVIS, JIM
DeFAZIO, PETER
DeGETTE, DIANA
DeLAURO, ROSA
DELAHUNT, WILLIAM
DEUTSCH, PETER
DICKS, NORMAN
DINGELL, JOHN
DIXON, JULIAN
DOGGETT, LLOYD
DOOLEY, CAL
DOYLE, MIKE
ENGEL, ELIOT
ETHERIDGE, BOB
ESHOO, ANNA
EVANS, LANE
FALEOMAVAEGA, E.
FARR, SAM
FATTAH, CHAKA
FAZIO, VIC
FILNER, BOB
FORD, JR., HAROLD
FRANK, BARNEY
FROST, MARTIN
FURSE, ELIZABETH
GEJDENSON, SAM
GEPHARDT, DICK
GONZALEZ, HENRY

GREEN, GENE
GUTIERREZ, LUIS
HALL, RALPH
HALL, TONY
HARMAN, JANE
HASTINGS, ALCEE
HILLIARD, EARL
HINCHEY, MAURICE
HOOLEY, DARLENE
HOYER, STENY
JACKSON JR., JESSE
JEFFERSON, WILLIAM
JOHN, CHRIS
JOHNSON, EDDIE B.
JOHNSON, JAY
KAPTUR, MARCY
KENNEDY, JOSEPH
KENNEDY, PATRICK
KENNELLY, BARBARA
KILDEE, DALE
KILPATRICK, C.
KIND, RON
KLECZKA, GERALD
KUCINICH, DENNIS
LaFALCE, JOHN
LAMPSON, NICK
LANTOS, TOM
LEE, SHEILA JACKSON
LEVIN, SANDER
LEWIS, JOHN
LIPINSKI, WILLIAM
LOFGREN, ZOE
LOWEY, NITA
LUTHER, WILLIAM P.
MALONEY, CAROLYN
MALONEY, JAMES
MANTON, THOMAS J.
MARKEY, EDWARD J.
MARTINEZ, MATTHEW
MATSUI, ROBERT
McCARTHY, CAROLYN
McCARTHY, KAREN
McDERMOTT, JIM
McGOVERN, JAMES
McHALE, PAUL
McKINNEY, CYNTHIA
McNULTY, MICHAEL
MEEHAN, MARTIN
MEEK, CARRIE
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MILLENDER-McDONALD, J.
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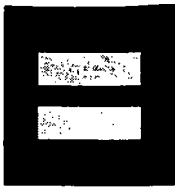
HCPA Fact Sheet

The Hate Crimes Prevention Act

H.R. 3081: Reps. Schumer (D-NY) and McCollum (R-FL)

S. 1529: Sens. Kennedy (D-MA), Specter (R-PA), and Wyden (D-OR)

- Current law (18 U.S.C. 245) permits federal prosecution of a hate crime only if the crime was motivated by bias based on race, religion, national origin, or color, *and* the assailant intended to prevent the victim from exercising a “federally protected right” (e.g. voting, attending school, etc.) This dual requirement substantially limits the potential for federal prosecution of hate crimes, even when the crime is particularly heinous.
- The Hate Crimes Prevention Act would expand federal jurisdiction to reach serious, violent hate crimes. Under the bill, hate crimes that cause death or bodily injury because of prejudice can be investigated federally, regardless of whether the victim was exercising a federally protected right.
- The bill describes a “hate crime” as a violent act causing death or bodily injury “because of the actual or perceived race, color, religion, national origin, sexual orientation, gender, or disability” of the victim. These are the same protected categories that are already in federal hate crimes law. (Existing law provides enhanced penalties for hate crimes that are committed on federal property, such as Indian reservations or national parks.)
- To avoid federal involvement in every hate crime, there are certain limitations to the bill. There is a constitutional requirement that the perpetrator or victim has traveled in interstate commerce, or used the “facilities” of interstate commerce. Further, under current law, the Attorney General or her designee must certify, in writing, that a federal prosecution may go forward. Under current 18 U.S.C. 245, which has been in place since 1969, there have never been more than 10 prosecutions brought under the statute in a single year.
- The Hate Crimes Prevention Act also authorizes grants to state and local prosecutors for combating hate crimes committed by juveniles.
- Some examples of crimes that were outside federal jurisdiction but could have been prosecuted under S. 1529/H.R. 3081: In December 1995, self-identified neo-Nazis murdered two African American residents of Fayetteville, North Carolina. The victims were selected solely because of their skin color. In April 1994, two African-American men murdered a white father of three in Lubbock, Texas; the killers later stated that they set out to find a white victim. In January 1996, two men in Houston, Texas stabbed a gay man thirty-five times, killing him. Evidence showed that the assailants were outspoken opponents of gay rights who had traveled to Houston in part to commit violence against gay people.
- Violence based on prejudice is a matter of national concern that federal prosecutors should be empowered to punish if the states are unable or unwilling to do so. S. 1529/H.R. 3081 would begin to bring uniformity to the categories covered under current federal hate crimes law. Further, many states lack comprehensive hate crimes laws, and FBI statistics show the incidence of hate crimes reported continues to be unacceptably high, although rates of most violent crimes are decreasing.



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HCPA

Cosponsors of the Hate Crimes Prevention Act (HCPA)

H.R. 3081/S. 1529

September 14, 1998

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AR

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BOXER

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Brown, G.

Capps

Dixon

Eshoo

Filner

Harman

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Lantos

Lee

Miller

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Stark

Tauscher

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Wexler

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McKinney

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AKAKA

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DURBIN

MOSELEY-

BRAUN

Blagojevich

Davis, D.

Gutierrez

Jackson, Jr.

Poshard

Rush

Yates

IN

Carson

IA

HARKIN

Boswell

Leach

LA

Jefferson

ME

Allen

Baldacci

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Morella

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Gephardt

McCarthy, K.

NC

Clayton

Price

NJ

LAUTENBERG

TORRICELLI

Andrews

Pallone

Payne

Rothman

NY

D'AMATO

Ackerman

Boehlert

Engel

Hinchey

Kelly

Lowey

McCarthy

Maloney

Manton

Nadler

Owens

Schumer*

Slaughter

Towns

Velazquez

OH

Brown, S.

Pryce

Sawyer

Stokes

OR

WYDEN*

Blumenauer

Furse

PA

SPECTER*

Brady, R.

Greenwood

PR

Romero-Barcelo

RI

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TN

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TX

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Green

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Johnson, E.B.

Lampson

Reyes

Sandlin

VA

ROBB

Moran

Scott

VI

Christian-Green

VT

JEFFORDS

WA

MURRAY

Dicks

McDermott

Smith, A.

WI

Barrett

Kleczka

WV

Rahall

* Lead Sponsors

Italics -

Republicans

TOTAL: 149

House: 124

Senate: 25



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***Hate Crimes Laws that
include "sexual
orientation":***

**21 States plus the
District of Columbia:**

Arizona
California
Connecticut
Delaware
District of Columbia
Florida
Illinois
Iowa
Kentucky
Louisiana
Maine
Massachusetts
Minnesota
Nebraska
Nevada
New Hampshire
New Jersey
Oregon
Rhode Island
Vermont
Washington
Wisconsin

***Hate Crimes Laws that
exclude "sexual
orientation":***

18 States:

Alabama
Alaska
Colorado
Idaho
Michigan
Mississippi
Missouri
Montana
New York
North Carolina
North Dakota
Ohio
Oklahoma
Pennsylvania
South Dakota
Tennessee
Virginia
West Virginia

***No Hate Crimes Laws
for anyone:***

8 States:

Arkansas
Georgia
Hawaii
Indiana
Kansas
New Mexico
South Carolina
Wyoming

3 State laws unclear:

Maryland
Texas
Utah

Updated 6/3/98





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Gays and Lesbians Are the Third-Highest Targeted Group for Hate Crimes *

Category	1996 Reported Incidents	Percentage
Total	8,759	100%
Race	5,396	61.6%
Religion	1,401	16.0%
Sexual Orientation	1,016	11.6%
National Origin	940	10.7%
Multiple Bias Incidents	6	0.07%

Percentage of Hate Crimes Based on Sexual Orientation, 1991-1996

Year	1991	1992	1993	1994	1995	1996
Total Hate Crime Incidents Reported	4,588	6,623	7,587	5,932	7,947	8,759
Percentage of crimes based on sexual orientation	8.9%	11.6%	11.3%	11.5%	12.8%	11.6%

Reported Hate Crimes Against Gays, Lesbians, and Bisexuals - 1996

Sexual Orientation	Incidents	Offenses	Victims	Known Offenders
Total	1,016	1,256	1,281	1,180
Anti-Male Homosexual	757	927	940	925
Anti-Female Homosexual	150	185	192	150
Anti-Homosexual	84	94	99	93
Anti-Heterosexual	15	38	38	4
Anti-Bisexual	10	12	12	8

* All Data from FBI Uniform Crime Reports, 1991 - 1996.

1/12/98

WORKING FOR LESBIAN AND GAY EQUAL RIGHTS.

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The Hate Crimes Prevention Act of 1998 is supported by President Clinton, the Department of Justice, and a broad range of national civil rights groups, state and local government associations, and law enforcement organizations:

African-American Women's Clergy Association
 American-Arab Anti-Discrimination Committee
 American Association of University Women
 American Citizens for Justice
 American Ethical Union, Washington Office
 American Federation of Government Employee's
 American Foundation for the Blind
 American Friends Service Committee (AFSC)
 American Jewish Committee
 American Jewish Congress
 American Nurses Association
 American Psychological Association
 Americans for Democratic Action
 And Justice For All
 Anti-Defamation League
 Aplastic Anemia Foundation of America, Inc.
 Asian American Legal Defense and Education Fund
 Asian Law Caucus
 Asian Pacific American Labor Alliance
 Asian Pacific American Legal Center
 AYUDA
 Bi-Net
 Business and Professional Women, U.S.A.
 Catholics for Free Choice
 Center for Democratic Renewal
 Center for Women Policy Studies
 Chinese Americans Citizens Alliance
 Church Women United
 Disability Rights Education & Defense Fund
 Federal Law Enforcement Officers Association
 Federally Employed Women
 Gender Public Advocacy Coalition
 General Federation of Women's Clubs
 Hadassah
 Hispanic National Law Enforcement Association
 Human Rights Campaign
 Japanese American Citizens League
 Jewish Council for Public Affairs
 Jewish Labor Committee
 Jewish War Veterans of the U.S.A.
 Jewish Women International
 Labor Council For Latin American Advancement
 Leadership Conference on Civil Rights
 Learning Disabilities Association of America
 MALDEF -- Mexican American Legal Defense &
 Education Fund
 MANA, A National Latina Organization
 NAACP
 NAACP Legal Defense Fund, Inc.
 NA'AMAT USA
 National Asian Pacific American Legal Consortium
 National Association of Commissions for Women

National Association of Protection & Advocacy
 Systems
 National Black Women's Health Project
 National Coalition Against Domestic Violence
 National Coalition of Anti-Violence Programs
 National Congress of American Indians
 National Council of Churches of Christ in the USA
 National Council of Jewish Women
 National Council of La Raza
 National Education Association
 National Gay and Lesbian Task Force
 National Jewish Democratic Council
 National Mental Health Association
 National Organization of Black Law Enforcement
 Executives
 National Parent Network on Disabilities
 National Respite Network
 National Spinal Cord Injury Association
 National Victim Center
 National Women's Law Center
 NOW -- National Organization for Women
 NOW Legal Education and Defense Fund
 Organization of Chinese Americans
 People For the American Way
 Police Executive Research Forum
 Police Foundation
 Presbyterian Church (USA), Washington Office
 Service Employees International Union, AFL-CIO
 Society for the Psychological Study of Social Issues
 Southeast Asia Resource Action Center
 Union of American Hebrew Congregations
 Union of Needletrades, Industrial & Textile
 Employees (UNITE)
 Unitarian Universalist Association
 United Church of Christ--Office of Church in Society
 United Methodist Church
 U.S. Conference of Mayors
 United States Student Association
 The Woman Activist Fund, Inc.
 Women of Reform Judaism, Federation of Temple
 Sisterhoods
 Women Work!
 Women's Alliance for Theology, Ethics & Ritual
 Women's Legal Defense Fund
 YWCA of the U.S.A.

As of 6/4/98

**List in progress*



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RYAN WHITE CARE ACT

Next to the Medicaid program, the Ryan White CARE Act is the largest federal investment in the care and treatment of people living with HIV/AIDS in the United States. The CARE Act supports a wide range of community based services, including primary and home health care, case management, substance abuse treatment and mental health services, and nutritional and housing services. The CARE Act also supports the AIDS Drug Assistance Program which provides HIV-related prescription drugs to those without access to basic HIV treatment.

CARE ACT TITLE I - EMERGENCY ASSISTANCE IN 49 METROPOLITAN AREAS

Title I of the CARE Act provides grants to cities and urban counties hardest hit by the AIDS epidemic. Five years ago, Title I provided assistance to 16 communities. This year 49 American communities received funding under Title I. 74 percent of all reported AIDS cases in America occurred in these areas.

The AIDS epidemic impacts particular communities in different ways. For this reason, Title I of the CARE Act empowers local Planning Councils to prioritize the services that are necessary to effectively respond to specific local needs. Planning Councils ensure community control of scarce resources and the participation of a diverse cross-section of public health experts, care providers, community leaders, and most important consumers of services and people living with HIV/AIDS.

CARE ACT TITLE II - GRANTS TO STATES/AIDS DRUG ASSISTANCE PROGRAMS

Title II of the CARE Act provides grants to states for the provision of comprehensive AIDS services, which may be provided through HIV Care Consortia. Consortia are associations of care providers and community based organizations operating in areas determined by the State to be particularly impacted by the HIV epidemic. States may also use Title II funds for home care services, health insurance continuation programs, and AIDS Drug Assistance Programs (ADAP). Allocation of funds to particular program areas is based on state and local needs assessments, availability of private health insurance, and the capacity of the state's Medicaid programs to provide access to necessary services.

Title II AIDS Drug Assistance Programs are a primary access point for medications for low income individuals living with HIV who are not covered by Medicaid or who do not receive prescription drug coverage through other third party payers.

CARE ACT TITLE III - EARLY INTERVENTION

Title III of the CARE Act supports outpatient early intervention services for people with HIV and AIDS. Grants are made directly to public or nonprofit private organizations which currently provide comprehensive primary care services to populations at risk for HIV infection. Title III community health providers are the primary "point of access" to comprehensive health care for historically underserved populations and medically indigent individuals.

CARE ACT TITLE IV

Title IV of the CARE Act provides support for HIV comprehensive services and coordinated access to clinical research programs for children, youth, women, and families. Community health centers and other appropriate private entities which serve a significant number of women and children can receive Title IV funds if they agree to coordinate the client's care with participation in research efforts.

CARE ACT TITLE V - SPECIAL PROJECTS, DENTAL SERVICES AND TRAINING

Title V of the CARE Act funds the Special Projects for National Significance (SPNS) program. The SPNS program assesses the effectiveness of new or innovative models of care and treatment that might be replicated elsewhere in the country.

Title V also includes the Dental Reimbursement Program which funds partnerships that provide quality oral health care to people living with HIV and AIDS while training future providers to effectively and safely administer such care.

Title V also funds the AIDS Education and Training Center (AETC) Program. The AETC program trains health care professionals to better counsel, diagnose, and treat people with HIV/AIDS and to keep health professionals up to date with new advances in HIV treatments and new standards of care.

FUNDING IN FY 1998

Title I HIV Emergency Relief Grant Program	\$464.8 million
Title II HIV Care Grants to States	\$543.0 million
Title III AIDS Early Intervention Service Grants to Clinics	\$76.3 million
Title IV Services for Children, Youth, Women and Families	\$40.0 million
Title V (Dental Reimbursement, AETCs)	\$25.1 million
TOTAL	\$1,150.2 million

In FY 1999, AIDS advocates are requesting a \$427.9 million increase in overall funding for the CARE Act in order to keep up with the growth in the HIV epidemic and the increasing costs of new HIV therapies and diagnostic testing.

LOCAL CONTROL ALLOWS TARGETED LOCAL RESPONSE

The CARE Act provides maximum flexibility to cities and states, allowing them to develop local systems of care based on the specific service needs of people living with HIV/AIDS in their area. Title I of the CARE Act requires that each local HIV services planning council-comprised of local public health, community - based service providers and people living with HIV/AIDS - assess local needs and make recommendations as to which services are needed. Similarly, through Title II, each state is given maximum flexibility to craft a service mix that is responsive to the specific service needs in that state. The CARE Act rejects a one-size-fits-all approach to AIDS care, recognizing that the AIDS epidemic nationally is really the combination of many local epidemics.

1 April 1998

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HIV PREVENTION

While new treatments have helped reduce the number of AIDS deaths, CDC data shows that new HIV infections remain essentially the same. Women, people of color, and young people are particularly at risk for becoming infected. Currently, prevention is the only means for stopping HIV transmission. Increased prevention funding is needed to ensure that effective, well-funded, and well-documented prevention programs targeting populations at risk can be implemented. By reducing the number of new HIV infections, we can reduce the demand for expensive care services in the future.

PREVENTION WORKS

Studies show that by combining a variety of focused, sustained prevention techniques, people do change their behavior. Such techniques include: teaching people the skills needed to negotiate difficult social situations; reinforcing techniques over time to enhance long-term behavior change; and promoting safer practices by ensuring access to condoms and sterile needles.

HIV prevention interventions can change behaviors in a broad range of populations such as injection drug users in treatment, gay men at risk, and homeless/runaway youth. Simple informational materials and programs are not enough. To be effective, prevention programs must:

- reach people in a variety of settings (schools, churches, the workplace, clinics, and neighborhoods);
- be culturally specific;
- be intensive and long-term; and
- provide populations at risk with the information, support, and skills to change high-risk behavior.

COMMUNITY INVOLVEMENT LEADS TO BETTER PREVENTION

The Centers for Disease Control and Prevention (CDC) has instituted a process to increase community participation and better targeting of HIV prevention efforts to ensure that limited prevention funds reach populations most at risk for HIV/AIDS.

The HIV Prevention Community Planning is a collaborative process which includes state and local health departments, social service agencies, nongovernmental agencies, representatives impacted or affected by HIV, and- representatives of communities and groups at risk for HIV

infection. These groups work in partnership to plan and prioritize HIV prevention programs that are responsive to community-identified needs within specific target populations.

PREVENTION IS COST EFFECTIVE

Preventing AIDS will not only eliminate needless suffering and death but will also reduce expensive health care and other economic costs. The lifetime medical cost of treating a person with HIV from the time that he or she becomes infected until death is approximately \$119,000. People with AIDS who stop working can no longer generate income and pay taxes and are often forced to draw upon entitlement programs.

There continue to be urgent, underfunded priorities in HIV prevention as the virus continues to move into communities of color, women, and adolescents. Potential cuts in HIV prevention programs may reduce federal spending in the short term, but will only lead to increased costs in the future.

ADMINISTRATION REFORM

Administrative and legislative efforts to reform HIV prevention must have as their primary goal the strengthening of HIV prevention efforts, not the reduction of funding. Communities at risk for HIV infection have long advocated for significant reforms in federally-funded HIV prevention programs and for the need to design and implement effective prevention in partnership with communities at risk.

MONITORING AND EVALUATION

The federal government, in partnership with state and local health departments, and representatives of communities at risk for HIV infection, should be responsible for developing, implementing, and evaluating a national prevention strategy. Infectious diseases, such as HIV, are not confined to state borders. Decisions about whether or not to undertake HIV prevention activities must not be left solely to state health officials. While HIV Prevention Community Planning ensures broader participation at the local level, it does not diminish the need for federal oversight. The federal government must monitor the spending of federal funds and ensure the federally-funded prevention programs undertake scientifically sound HIV prevention activities that are supported by populations at risk for HIV. Current funding for HIV prevention programs must not be reduced by administrative changes or consolidation of categorical programs.

RESTRICTIONS ON CONTENT OF PREVENTION PROGRAMS

The federal government must not interfere with local decision making and priority setting by placing restrictions or mandates on the content of HIV prevention programs. Communities are best equipped to set priorities and develop and implement effective programs. Programs must not be restricted from using federal, state, or local funds for prevention activities that they deem appropriate and consistent with public health.

April 2, 1998

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AIDS RESEARCH

The new regimes of combined antiretroviral therapies have been remarkably successful in slowing progression to disease and death in thousands of patients with HIV/AIDS. These breakthroughs in AIDS treatment are the result of over a decade of Congressional support for AIDS research at the National Institutes of Health (NIH). Success against AIDS and other diseases is only possible with a vital national research effort. Support for AIDS research specifically and NIH research overall is essential.

AIDS RESEARCH AT NIH

AIDS research occurs at all 24 institutes, centers and divisions at the National Institutes of Health (NIH) and is managed and coordinated through the Office of AIDS Research. The FY 1998 NIH AIDS research budget is \$1.607 billion. This funding supports: epidemiology and natural history of the disease, basic science, development of AIDS treatments, AIDS vaccines and behavioral research.

THE LEVINE REPORT

In March 1996, NIH released the Report of the NIH AIDS Research Program Evaluation Working Group of the Office of AIDS Research Advisory Council. The report, developed by an independent cross disciplinary panel and chaired by Dr. Arnold Levine of Princeton University, is the first comprehensive review of AIDS research at NIH. There are 14 major points to the blueprint including increased support for investigator-initiated research, more emphasis on vaccine development and the need to preserve a strong Office of AIDS Research.

FINDING EFFECTIVE TREATMENTS

AIDS research at the NIH has advanced the knowledge and treatment of HIV/AIDS, improving and lengthening the lives of people with AIDS. NIH AIDS research has:

- doubled the survival time of a person with AIDS, and improved their quality of life.
- developed the eleven FDA-approved drugs for the treatment of HIV infection: AZT, ddI, ddC, d4T, 3TC, nevirapine, indinavir, saquinavir, zidovudine, delavirdine, and nelfinavir.
- led to tremendous advances in the treatment and prevention of AIDS-related opportunistic infections, including CMV retinitis, *Pneumocystis carinii* pneumonia, and toxoplasmosis.
- demonstrated that AZT, when administered during pregnancy, may dramatically reduce HIV transmission from mother to fetus.

BROAD BENEFITS OF AIDS RESEARCH

AIDS research enhances and stimulates research in other fields, with broad implications for other diseases such as cancer, heart disease, Alzheimer's disease, and others. NIH AIDS research has:

- been the main source of funds for immunological research and has accelerated study of the human immune system. (Several drugs that first received approval for the treatment of AIDS-related conditions, including fluconazole, clarithromycin, and EPO, have important uses in cancer and organ transplant patients.)
- accelerated investigation into viruses, particularly retroviruses. NIH AIDS research has enhanced scientific understanding of all retroviruses, some of which may have important roles in other human diseases.
- been a driving force in the emerging biotechnology industry, one of the most important U.S. scientific and commercial endeavors of the last decade.
- led to research involving the blood/brain barrier which has valuable implications for research on Alzheimer's disease, dementia, multiple sclerosis, encephalitis and meningitis.

OFFICE OF AIDS RESEARCH

The NIH Revitalization Act of 1993 strengthened the authority of the Office of AIDS Research to develop an annual research plan and a consolidated bypass budget for all NIH AIDS research. With AIDS research underway at all 24 ICDs at NIH, the Office of AIDS Research is essential to the planning of NIH's AIDS research resources. Through this strategic planning process linked with the annual budget process, the OAR Director has the coordinating and fiscal authority to coordinate the NIH-wide AIDS research program.

The OAR's role is limited strictly to planning, prioritization and budgeting under a system that reduces bureaucracy and eliminates duplication of effort. The OAR neither reviews grants nor conducts research programs. These efforts continue to occur, appropriately, by the scientists at the NIH institutes. The multi-disciplinary nature of AIDS research makes the OAR structure more efficient, and more scientifically sound, than a single AIDS institute or uncoordinated efforts across the 24 ICDs.

COMPARISONS ARE COUNTERPRODUCTIVE

Comparisons of funding for different diseases are counterproductive and misleading. The health of the nation is dependent upon a strong national commitment to biomedical research across disciplines and diseases that benefits all Americans. Because the existing knowledge base, economic and human costs, and scientific opportunities of every disease are important it is inappropriate and unwise to pit research funding for one disease against another.

Scientific priority-setting should consider many factors. One of the most important factors is scientific opportunity. Scientists believe that the scientific opportunities presented by AIDS are enormous, similar to the opportunities that existed in cancer research during the 1970s, which eventually opened new avenues of research and are generally credited with providing the foundation for the molecular biological revolution of the late 1970s and 1980s.



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HOUSING AND AIDS

People with HIV/AIDS face a staggering array of barriers to obtaining and maintaining affordable, stable housing. Despite federal and state anti-discrimination laws, many people with AIDS still face illegal eviction from their homes when it is discovered they have AIDS. Others lose their housing when, as a result of illness and lost wages, they are unable to pay their rent or mortgage. A growing number of people with HIV/AIDS are already homeless when they become ill and are shuffled between acute care hospitals, medically unsafe shelter facilities, and the street, at an enormous cost to their health. Without stable housing, people with HIV/AIDS cannot access care or the promising new therapies that can greatly improve the quality and duration of their lives.

HOMELESSNESS AND AIDS

- 60% of people with HIV/AIDS will require housing assistance at some point during their illness.
- One-third to one-half of all people with AIDS are either homeless or in imminent danger of losing their homes.
- In 1992 the National Commission on AIDS estimated that 15% of homeless people are HIV—positive.
- The Centers for Disease Control and Prevention (CDC) found an HIV infection rate of up to 21.4% in selected homeless populations.
- People living with HIV/AIDS have historically had difficulty accessing federal housing programs. Many have waiting lists that are longer than the average life span of a person with AIDS.

HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS (HOPWA)

The Department of Housing and Urban Development (HUD) has taken the position that housing programs for people with disabilities generally cannot be used to create AIDS-specific housing. To address AIDS-specific needs, Congress enacted the Housing Opportunities for People With AIDS (HOPWA) program in 1990. HOPWA is the only federal housing program that provides comprehensive, community-based HIV-specific housing programs.

Ninety percent of HOPWA funding is distributed by HUD directly to cities and states with high AIDS caseloads, through a formula grant. The remaining ten percent is awarded on a competitive basis to projects of national significance.

LOCAL CONTROL AND FLEXIBILITY

HOPWA gives local communities hardest hit by the AIDS epidemic desperately needed resources and local control over the use of those resources to meet the local housing needs of people with AIDS. Communities may use HOPWA funds to develop a broad range of housing and support services including short-term supported housing, rental assistance for low income persons with HIV/AIDS, community residences, or coordinated home care services.

COST EFFECTIVE

Cities and states control the use and administration of HOPWA funds. To ensure funds are used for housing activities, administrative costs are capped by law at 3 percent for formula grantees who administer the funds and 7 percent for the community-based "project sponsors" who actually provide the housing assistance.

At any given time, approximately 30% of people living with HIV disease in acute-care hospitals are there only because there is no other community-based residential alternative, at an average cost of \$1,085 per person, per day. The cost of providing housing and services at a HOPWA-funded residential facility is between one-tenth and one-twentieth of that amount. HOPWA reduces the use of emergency health care services by an estimated \$47,000 per person, per year.

INCREASED FUNDING FOR HOPWA IS DESPERATELY NEEDED

States and localities across the nation face severe funding shortfalls which reduce their ability to address the growing housing needs of their citizens with HIV/AIDS. As the number of AIDS cases continues to grow, the number of jurisdictions eligible for HOPWA funding grows as well. Each year, 10 to 13 new jurisdictions become eligible for formula grants based on increases in caseload. If HOPWA funding remains level, jurisdictions actually see cuts in their funding despite increasing need, because newly eligible jurisdictions must be accommodated. HOPWA is one of the few existing HUD programs that already provides the supposed benefits of block grants: formula funding to cities and states based on need, and funding that cities and states decide how to spend.

OTHER PROGRAMS CAN'T REPLACE HOPWA

Congress created the HOPWA program in 1990 because other programs failed to respond to the housing needs of cities and states. Other programs also failed to provide the specific resources and flexibility that enable jurisdictions to address the housing crisis that the AIDS epidemic poses locally.

Simply listing AIDS housing as an eligible activity for funding under a block grant will neither ensure that needs are addressed on the local level nor provide sufficient resources and guidance to enable localities to address those needs. Eliminating HOPWA will reduce resources to cities and states and increase local competition for those resources, while undoing years of local planning and development.



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Family Issues

AMERICANS AGREE: PARENTS SHOULD BE JUDGED ON THEIR PARENTING SKILLS NOT ON SEXUAL ORIENTATION

Lesbian and gay Americans are having families and raising happy, healthy and well-cared-for children. Some political groups on the extreme right are pushing for the government to intervene and make new laws against gay parents raising children. New research shows that voters overwhelmingly agree that they do not want politicians and the government making sweeping new regulations about these important family issues.*

- Americans categorically reject the notion that the government should take a greater role in deciding who can and cannot adopt children. By a margin of nearly four to one (74 to 19 percent), voters say we should keep the system we currently have, rather than allow the federal or state government to take a greater role. More than three-quarters of voters (78 percent) believe that the issue of gay men and lesbians adopting children should be decided on a case-by-case basis rather than by the federal (10 percent) or state (8 percent) government.
- Voters understand that gay people can be good parents. A total of 75 percent of Americans agree that lesbians and gay men can be just as good parents as heterosexuals -- and 52 percent strongly agree. In addition, 56 percent believe that gay men and lesbians should be allowed to be parents.
- Voters do not want to make it illegal for lesbian and gay Americans to adopt children. More than half of voters (55 percent) would oppose a law that would prevent gay men and lesbians from adopting children. Nearly two-thirds (63 percent) would oppose a law making it illegal for gay and lesbian couples to jointly adopt children.
- Americans are looking for a rational discussion about parenting skills and the best interests of the child on a case-by-case basis, not an emotional debate over sexual orientation. The majority of Americans believe that parents should be judged more on their parenting skills than on their sexual orientation. Nearly three in five voters (59 percent) say that otherwise qualified parents should not be disqualified solely on the basis of their sexual orientation, and 54 percent think that sexual orientation should not be the primary factor in deciding if a person is fit to be a parent. Americans agree that there are many more important qualities than sexual orientation in deciding whether or not a person is a fit parent. Parenting qualities such as love, patience, time to spend with kids, energy and financial security were far more often cited as important.
- Given the importance of good parenting to the future of America's families, it is understandable that voters do not see the issue of adoption as a "right" for homosexual or heterosexual couples. This bodes well for lesbian and gay parents raising children -- whose fitness for adoption, like that of other parents, is best judged on their merits in each particular family situation.

FAMILY FACTS

The following facts are important in helping people see beyond misinformation, overcome their fears and keep their focus on the family issues that should be at center of a rational discussion:

- Today, more than 500,000 children living in foster care or institutions need loving homes.
- Gay and lesbian parents possess just as good parenting skills as heterosexual parents. There is no evidence that the parenting skills of gay and lesbian parents differ significantly from those of heterosexual parents.¹
- Studies have shown that children raised by gay or lesbian parents are no more likely to grow up gay or lesbian than other children.²
- Gay and lesbian parents raising children provide good and loving homes, and their children lead just as healthy and productive lives as children raised by heterosexual parents.³
- In 48 of our 50 states, qualified lesbians and gay men are already among the parents raising children through adoption.

Second-Parent Adoption:

- Ensures that the adopted child can receive health benefits from both of his or her parents.
- Gives the child greater financial security.
- Increases stability in the child's life by establishing a legal relationship between the child and his or her parents.

* Polling results are from a national survey of 812 registered voters conducted Aug. 20 - 30, 1997, by Penn, Schoen & Berland Associates on behalf of the Human Rights Campaign. Overall margin of error is plus or minus 3.4 percent.

¹ Patterson, C. J. (1996). Lesbian and gay parenthood. In M. H. Bornstein (Ed.), *Handbook of Parenting* (pp. 255-274). Hillsdale, N.J.: Lawrence Erlbaum Associates.

Patterson, C. J. (1995). Lesbian mothers, gay fathers and their children. In A. R. D'Augelli and C. J. Patterson (Eds.), *Lesbian, gay and bisexual identities across the lifespan: Psychological perspectives* (pp. 262-290). New York: Oxford University Press.

² Bailey, J. M., Bobrow, D., Wolfe, M., & Mikach, S. (1995). Sexual orientation of adult sons of gay fathers. *Developmental Psychology*, 31 (1), 124-129.

Golombok, S., & Tasker, F. (1996). Do parents influence the sexual orientation of their children? Findings from a longitudinal study of lesbian families. *Developmental Psychology*, 32 (1), 3-11.

³ "Not a single study has found children of gay or lesbian parents to be disadvantaged in any significant respect relative to children of heterosexual parents. Indeed, the evidence to date suggests that home environments provided by gay and lesbian parents are as likely as those provided by heterosexual parents to support and enable children's psychosocial growth." American Psychological Association. (1995). *Lesbian and gay parenting: A resource for psychologists*. Washington, DC: Author, p. 8.



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The U.S. Military

Where It's Illegal for Gay People to be Honest

"Don't Ask, Don't Tell, Don't Pursue" is the only law that forces individuals to be dishonest about their personal life or be fired. That is fundamentally wrong. Our country is losing the service of tens of thousands of dedicated Americans, like Colonel Margarethe Cammermeyer. And taxpayers are footing the bill to the tune of \$25 million per year¹ just to replace those who are kicked out of the military for being gay.

Polls² have repeatedly shown that the American people do not want different rules for gays and straights who serve our country. All published Pentagon studies, including the 1993 Rand Report, conclude that there should be no special restrictions on service by gay personnel.

Policy Intent vs. Reality

Asking servicemembers about their sexual orientation is "precisely contrary to the policy that was adopted by the administration, and it's wrong."

-Secretary of Defense William Cohen, January 27, 1997

During the 1993 debate over this policy, President Clinton said that "Don't Ask, Don't Tell, Don't Pursue" places limitations on investigations and was supposed to provide a "decent regard to the legitimate privacy and associational rights of all servicemembers." Unfortunately, that has not been the case. The Servicemembers Legal Defense Network, a non-profit organization set up to help those hurt by this policy, has directly assisted 1,300 men and women facing harassment, witch hunts and death threats since the policy was enacted.

The Witch Hunts Continue

"We won't witch hunt. We won't chase. We will not seek to learn orientation."

-General Colin Powell, 1993 Senate Armed Services Committee Hearing

³ Under "Don't Ask, Don't Tell, Don't Pursue," gay discharges have reached the highest ~~rate of discharge~~ since 1987. The limits on gay investigations originally agreed to in 1993 have been ignored.

It is well-documented that servicemembers continue to be interrogated, investigated, harassed and threatened about their sexual orientation. Psychotherapists have been ordered to turn in gay members. Parents are being interrogated about their kids. Military services criminally prosecute gay members, but not heterosexuals, for private, adult, consensual

relationships. Servicemembers and their friends are being threatened with prison unless they confess to being gay or accuse others as gay.

In addition, lesbian-baiting is of great concern. Three separate Department of Defense (DoD) and Senate reports in 1997 concluded that women servicemembers, regardless of their sexual orientation, often fear reporting sexual harassment because they are afraid of being accused as lesbian and losing their careers as a result.

Skewed Priorities

In September 1997, a Marine was threatened with investigation after he was assaulted at a local bar that was allegedly patronized by gay people. Though he had not reported the assault, his commanding officer learned of it from local law enforcement and confronted him. Rather than face investigation, the servicemember sent a letter to his commanding officer stating his sexual orientation. "I enjoy my service in the Marines and am distressed at the position in which the DoD's antigay policy has placed me. However, the price of serving my country is too high if the military puts more of a premium on investigating my private life than in assisting me with bringing those who assaulted me to justice," he wrote in a letter to his commanding officer. Sadly, this is just one of many cases of abuse under this policy.

DoD Must Enforce Limits on Gay Investigations

"If I find that the policy is being violated and there is active pursuit and prosecution, I will do whatever I can to see that it stops."

-Secretary Cohen, February 26, 1997

In the short term, the Department of Defense must observe the limits on gay investigations that are currently being ignored.

In response to documented abuses, the Department of Defense is reviewing command violations of this policy. The review panel's report was due in September 1997 and has not yet been released. To be credible, the panel must honestly address the documented ongoing violations, as well as take firm steps to end the abuses and punish those who improperly target servicemembers for investigation and discharge under the policy.

In Conclusion

Many gay, lesbian and bisexual Americans have and will continue to serve our country with distinction. The only question is whether they will have to lie about their sexual orientation to do so. Since enactment of this policy, many gay people have served openly while pending discharge with no affect on unit performance, readiness, cohesion or morale.

1. Costs are based on figures and percentages reported in a General Accounting Office study, *Defense Force Management: Statistics Related to DOD's Policy on Homosexuality* (June 1992).

2. Including a 1996 Gallup poll where 65 percent of respondents said that gay people should be allowed to serve in the military.