



HUMAN
RIGHTS
CAMPAIGN

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2008 Presidential Questionnaire – Senator Barack Obama

“The Human Rights Campaign envisions an America where lesbian, gay, bisexual and transgender people are ensured of their basic equal rights, and can be open, honest and safe at home, at work, and in the community.”

1. Currently, there is no federal law protecting individuals from job discrimination on the basis of sexual orientation or gender identity. Qualified, hardworking Americans can still be denied job opportunities, fired or otherwise be discriminated against just because of their sexual orientation in 33 states and because of their gender identity in 42 states. As president, would you support and work for passage of a federal bill that would prohibit job discrimination based on sexual orientation and gender identity?

Support

Oppose

Comments: *I believe the Employment Non-*

Discrimination Act should be expanded to include sexual orientation and gender identity. I sponsored legislation in the Illinois State Senate that would ban discrimination in employment on the basis of sexual orientation.

2. Currently the federal hate crimes law does not protect all Americans from bias-motivated violence. Would you support federal legislation that adds sexual orientation, gender, gender identity and disability to existing federal law giving authority to the federal government to investigate and prosecute violent crimes (H.R. 1592)? This authority already exists for crimes committed because of the victim’s race, color, religion and national origin and because they were attempting to exercise a federally protected right.

Support

Oppose

Comments: *I am a co-sponsor of the Local Law*

Enforcement Enhancement Act, which would expand federal jurisdiction to reach violent hate crimes perpetrated because of the race, color, religion, national origin, sexual orientation, gender identity or physical disability of the victim.

3. New treatments have improved the quality of life for those living with HIV/AIDS, but those treatments are expensive, and not available to everyone who needs them. Years of flat-funding for the *Ryan White Care Act* has forced states across the country to institute waiting lists, limit

formularies, and other cost containment measures. The CARE Act provides access to life-saving treatment and care for over half a million low-income Americans with HIV/AIDS.

Would you support increased funding for this critical program?

Support Oppose Comments: ***Throughout the reauthorization process of the Ryan White Care Act (RWCA), I worked closely with RWCA service providers, the Chicago Department of Public Health, and the Illinois Department of Public Health to analyze and find ways to improve the program for Illinois and for the nation. I will continue to protect the multifaceted care upon which RWCA beneficiaries depend.***

4. Would you support the *Early Treatment for HIV Act (ETHA)*, S. 860, federal legislation that would allow states the option to provide Medicaid coverage to low-income, HIV positive Americans. Currently, only Americans that can be considered disabled are eligible for Medicaid coverage, excluding those who are HIV positive but have no symptoms of the disease?

Support Oppose Comments: ***I have co-sponsored legislation to bring Medicaid coverage to low-income, HIV-positive Americans.***

Would you support increased funding for HIV/AIDS prevention, treatment and research?

Support Oppose Comments:

5. Would you support the *Responsible Education About Life (REAL) Act* which would create a federal grant program to channel money to states that choose to teach comprehensive and age-appropriate sex education for America's students that includes science-based prevention methods?

Support Oppose Comments: ***In addition to supporting the REAL Act, I am also an original co-sponsor of the Prevention First Act, which will increase funding for family planning and comprehensive sex education that teaches both abstinence and safe sex methods. The Act will also end insurance discrimination against contraception, improve awareness about emergency contraception, and provide compassionate assistance to rape victims.***

6. Currently, only Massachusetts recognizes equal marriage rights for same sex couples. Do you believe the civil institution of marriage (with absolutely no requirements imposed on religious institutions) should be made legally available to two committed adults of the same sex?

Support Oppose Comments:

If you do not believe that civil marriage for same-sex couples should be made available to same-sex couples on the same basis as opposite sex couples, is there any legal construct you do embrace that would extend legal recognition to same sex couples?

I believe civil unions should include the same legal rights that accompany a marriage license. I support the notion that all people – gay or straight – deserve the same rights and responsibilities to assist their loved ones in times of emergency, deserve equal health insurance and other employment benefits currently extended to traditional married couples, and deserve the same property rights as anyone else.

However, I do not support gay marriage. Marriage has religious and social connotations, and I consider marriage to be between a man and a woman. If I was President, however, I would oppose any effort to stifle a state’s ability to decide this question on its own. Whether it was a Constitutional amendment banning gay marriage or a bill like the Defense of Marriage Act, I would oppose such efforts. I think the President should do all he or she can to advance strong families. Whatever the make-up of the family, it is the President’s role to provide policies and leadership that enable the family to thrive.

If a state has taken the steps to recognize same sex couples and their families for purposes of state-based benefits, rights, privileges and responsibilities (such as marriage in Massachusetts and civil unions in Vermont and Connecticut), should the federal government recognize the state’s legal recognition of such couples and families for purposes of federal benefits and tax treatment?

Support Oppose Comments:

7. According to a 2004 GAO report, over 1,100 benefits, rights and privileges are provided to married couples and their families in federal law that are not available to same-sex couples. Do you support extending federal benefits, rights, privileges and responsibilities to same-sex couples (and their children) provided the partnership meets certain federal standards of commitment and mutuality of interest?

Support Oppose Comments:

Specifically, do you support the expansion of the Family and Medical Leave Act to cover domestic partners and their children?

Support Oppose Comments:

Do you support modifying the Social Security System to pay survivor benefits to the same-sex partners of gay and lesbian people?

Support Oppose Comments:

Do you support fair and equal tax treatment of same sex couples on the same basis as married couples?

Support Oppose Comments:

8. Many gay and lesbian people serve in the federal government but do not receive the same health insurance and other employee benefits of married couples. Do you support domestic partner coverage for gay and lesbian employees of the civilian federal workforce?

Support Oppose Comments:

9. While 47 states allow gay and lesbian people to adopt children, some legislators are pushing to prohibit capable, committed adults from adopting because of their sexual orientation. As president, would you support giving appropriate judicial authorities the full authority to make decisions on adoption based on the best interest of the child, without bans based solely on sexual orientation?

Support Oppose Comments: *I believe there are too many children who need loving parents to deny one group of people adoption rights. A child will benefit from a healthy, loving home, whether the parents are gay or not.*

10. Would you support the *Uniting American Families Act* which would enable an American citizen to petition for immigration sponsorship for a same-sex partner, and the INS would treat the relationships between opposite and same-sex couples in the same manner under the immigration code?

Support Oppose Comments: *As someone who believes that homosexual couples should have the same legal rights as married couples and that our immigration laws should unite families, I support the Uniting American Families Act in concept. But I also believe that changes need to be made to the bill to minimize the potential for fraud and abuse of the immigration system.*

11. Would you support a congressional repeal of the "Don't Ask, Don't Tell" policy which would allow gay, lesbian, and bisexual soldiers the right to serve openly in the military as is currently the policy in nearly every NATO country (H.R. 1246)?

Support Oppose Comments: *I believe that we need to repeal the "Don't Ask, Don't Tell" policy. The key test for military service should be patriotism, a sense of duty, and a willingness to serve. We also have evidence that Don't Ask, Don't Tell is not working. A 2005 GAO report found that the policy has resulted in a significant loss of service members in critical occupations and with important language skills like Arabic and Korean. Former Chairman of the Joint Chiefs of Staff General John Shalikashvili said times have changed and that, "I now believe that if gay men and lesbians served openly in the United States military, they would not undermine the efficacy of the armed forces."*