
CHAPTER 5:
FIGHTING HIV/AIDS



FIGHTING HIV/AIDS

Overall, transgender people face HIV infection rates many times higher than the general population, and rates for transgender people of color are even higher.¹ Estimates are that one in four Black transgender people in the U.S. is living with HIV/AIDS.²

Discrimination, stigma, social isolation, bias among health and social service providers, and a lack of targeted prevention efforts have all contributed to these high levels of infection. The National HIV/AIDS Prevention Strategy issued in 2010 for the first time recognized that transgender people are at high risk for HIV infection, and that until recently only minimal efforts have been made to target the trans population for prevention and treatment. Where transgender people have been included at all, they have often been inaccurately and unhelpfully lumped together with “Men who Have Sex With Men” (MSM) rather than addressed as a distinct population.³ This neglect has been deadly, because research has shown that such concentrated epidemics require targeted responses for the most at-risk populations.

Notably, while transgender people face high levels of HIV infection around the world, the U.S. has not yet taken concerted action to promote targeted prevention efforts for trans people globally.

Policy Advances

- The Department of Justice urged states to repeal or reform HIV criminalization laws. (2014)
- The Supreme Court partially overturned the so-called “anti-prostitution pledge,” which denied international HIV/AIDS and anti-trafficking funds to groups that support sex workers. (2013)
- The Centers for Disease Control and Prevention (CDC) revised the national HIV reporting system to allow state and local agencies to collect identifiable transgender data. (2012)
- CDC released its first transgender-specific HIV prevention grant announcements. (2012)
- The White House released the first ever National HIV/AIDS Strategy, acknowledging high rates of HIV infection among transgender people and call for prevention efforts focusing on transgender people. (2010)

Needed Policy Changes

- Congress should ensure that appropriations and any deficit reduction measures are consistent with the goals of the National HIV/AIDS Strategy and the latest epidemiological data and targeted to the highest prevalence populations and communities.
- Congress should ensure continuation of the Ryan White HIV/AIDS Program as a safety net and provider of support services as healthcare reform is fully implemented.
- Congress should fully fund comprehensive sexuality education and defund ineffective and dangerous abstinence-only-until-marriage programs.
- The CDC should issue strong guidelines for state and local agencies on collecting identifiable transgender data in HIV reporting.
- The Office of National AIDS Policy and the Department of Health and Human Services (HHS) should promote and provide sustainable funding for peer-led prevention and treatment programs focused specifically on transgender populations.
- The Office of National AIDS Policy and HHS should promote, fund, and conduct research focusing on transgender men who have sex with men.

¹ Injustice at Every Turn: A Report of the National Transgender Discrimination Survey, at 80; Centers for Disease Control and Prevention, HIV Infection Among Transgender People (2011). Available at: <http://www.cdc.gov/hiv/transgender/pdf/transgender.pdf>.

² Injustice at Every Turn: A Report of the National Transgender Discrimination Survey, at 80.

³ White House Office of National AIDS Policy, National HIV/AIDS Strategy for the United States, at 14-15 (2010). Available at: <http://www.whitehouse.gov/sites/default/files/uploads/NHAS.pdf>.

- The Centers for Disease Control and Prevention and DOJ should study the recommendation of the World Health Organization that all countries decriminalize sex work and drug use, and work with the Department of Justice to make law and policy recommendations to Congress and the states to ensure that laws and enforcement practices do not conflict with public health strategies.
- Congress and the Administration should take further action to encourage states to narrow or repeal HIV criminalization laws that are inconsistent with current science and harmful to public health.
- Congress should fully repeal the so-called “anti-prostitution pledge” which denies international HIV/AIDS and anti-trafficking funds to groups that support sex workers.
- The CDC and the Department of Justice should implement comprehensive HIV prevention strategies for correctional facilities (including the Federal Bureau of Prisons) that include access to condoms.
- The President’s Emergency Plan for AIDS Relief (PEPFAR) should issue guidance for international HIV prevention efforts targeted at transgender people.
- The President’s Emergency Plan for AIDS Relief (PEPFAR) should require all PEPFAR-funded programs to certify that they do not discriminate against LGBT people.

For more on domestic policy toward sex work, see [Reforming Police and Ending Anti-Transgender Violence](#)