



PRESIDENTIAL CANDIDATE REPORT 2012

The Issues	Obama	Romney
The Patient Protection and Affordable Care Act	Supports	Opposes
Insurance coverage for all with pre-existing conditions	Supports	Position unclear; supports those that have maintained previous insurance
Expansion of Medicare & Medicaid	Supports	Opposes
Increased Coverage for women's preventative health services	Supports	Opposes when coverage is extended to abortions or birth control
Use of federal funding for syringe exchange programs in local communities	Supports	Opposes
Age-appropriate, LGBT-inclusive sexual education in schools	Supports	Supports abstinence only
Increase funding for US global HIV/AIDS treatment initiatives	Supports	Position unclear
Lifting the ban that prohibits people with HIV/AIDS from entering the United States	Supports	Supports
DREAM Act	Supports	Opposes
ENDA (Employment Non-Discrimination Act), which ensures equal treatment regardless of sexual orientation or gender identity, at the national level	Supports	Supports at state level
Maintaining repeal of the "Don't Ask, Don't Tell" Policy	Supports	Supports
Defense of Marriage Act, which defines marriage as between one man and one woman	Opposes	Supports
Full federal marriage equality for same-sex partnerships	Supports	Opposes
Federal benefits for same sex couples and their families	Supports	Position unclear
Same-sex couples should be legally allowed to adopt children	Supports	Position unclear

The Candidates

Barack Obama & Joe Biden

Barack Obama is currently serving as the 44th President of the United States. Prior to this President Obama served as a U.S. Senator from the state of Illinois from January 3, 2005 – November 16, 2008. President Obama also served as an Illinois State Senator from the 13th District from January 8, 1997 – November 4, 2004.

Joe Biden is serving as the 47th Vice President of the United States. Vice President Biden was the U.S. Senator from Delaware from January 3, 1973 – January 15, 2009. During his tenure as a U.S. Senator, Vice President Biden served in several capacities as Chairman of the Senate Committee on the Judiciary, Chairman of the International Narcotics Control Caucus and Chairman of the Senate Committee on Foreign Relations.

Mitt Romney & Paul Ryan

Mitt Romney served as Governor of Massachusetts from January 2, 2003 – January 4, 2007. Governor Romney also worked as CEO of the 2002 Salt Lake City Winter Olympics Organizing Committee and is a Co-founder of Bain Capital for which he has also served as CEO. Governor Romney is currently the presidential candidate for the Republican Party.

Paul Ryan is the United States Representative for Wisconsin's 1st Congressional District in the U.S. House of Representatives. He was first elected to office in 1998 and currently serves as the Chairperson of the House Budget Committee. Representative Ryan is currently the vice-presidential candidate for the Republican Party.

HEALTH CARE

The Patient Protection and Affordable Care Act (ACA)

The Patient Protection and Affordable Care Act (ACA), also known as healthcare reform or “Obamacare,” is a broad piece of legislation aimed at reforming the U.S. healthcare system to provide insurance coverage to most Americans. The law expands existing Medicare and Medicaid programs and also has provisions that protect those with pre-existing conditions. The law also mandates that all Americans carry health insurance or face penalties. For those purchasing insurance as individuals, the law aims to create affordable insurance exchanges. The law also has provisions to expand coverage for preventative care services (e.g., annual physicals) for both men and women.¹

President Obama

President Obama signed the ACA into law on March 23, 2010 in an effort to expand health insurance coverage to the majority of Americans. The President is in full support of implementing and expanding the law over time.²

Governor Romney

Governor Romney does not support the ACA and, if elected, promises to issue an executive order on his first day in office that would pave the way for the federal government to issue ACA waivers to all fifty states. He would then work with Congress to repeal the full legislation. Governor Romney has not yet provided details about what he intends to replace ACA with, but he intends to “pursue policies that give each state the power to craft a health care reform plan that is best for its own citizens.” He has also stated that the federal government’s role will be to help markets work by creating a level playing field for competition.³

HIV Screening

President Obama

The ACA which the President signed into law also requires many insurance plans to offer HIV screening tests for people at-risk for infection at no additional cost to them. It also requires plans to provide coverage without cost-sharing of HIV and other STI counseling for all sexually active women.⁴

Governor Romney

Governor Romney has not offered details on how his healthcare plan would approach HIV screening.⁵

Pre-existing Conditions

President Obama

The ACA prevents insurance companies from denying coverage to people they deem to be living with a pre-existing condition such as a child born with diabetes or an adult living with HIV. As of 2012, children are protected from these denials of coverage; and effective in 2014, insurers will not be able to deny coverage or charge more for anyone who has a pre-existing condition like HIV. The law also prevents insurers from rescinding coverage for adults or children except in cases of fraud or intentional misrepresentation of a material fact. Insurers will also be barred from imposing lifetime dollar limits on essential health benefits.⁶

President Obama's support for the ACA means that these provisions will remain in place.

Governor Romney

If Governor Romney is successful at blocking the complete implementation of and/or repealing the ACA the pre-existing condition protections that are already in place would be repealed along with the act.

Romney's alternative plan includes policies that "prevent discrimination against individuals with pre-existing conditions who maintain continuous coverage." On the *Tonight Show*, Romney stated "People who have been continuously insured, let's say someone's had a job for a while and been insured, then they get real sick and they happen to lose a job, or change jobs, they find, 'Gosh, I got a pre-existing condition. I can't get insured,' I'd say no, no, no. People with pre-existing conditions, as long as they have been insured before, they are going to be able to continue to have insurance."⁷

Women's Health

President Obama

President Obama supports a woman's right to direct her own healthcare without outside influence. As part of the ACA, Medicare and many private insurance plans are now required to cover many recommended preventive services for women at no additional cost as compared to preventative services for men. These services include mammograms and other cancer screenings, as well as birth control.⁸

Governor Romney

Governor Romney supports the Hyde Amendment, which broadly bars the use of federal funds for abortions. He supports ending federal funding for abortion advocates like Planned Parenthood. Governor Romney also supports legislation that protects the right of health care workers to follow their conscience in their work.⁹

Repealing ACA, as proposed by Governor Romney, would eliminate the requirement for insurance plans to cover women specific preventative services at no additional cost as compared to preventative services for men.

Medicaid

President Obama

Beginning in 2014, states can decide to implement Medicaid changes under the ACA. These changes will extend Medicaid coverage to all low-income Americans, including adults with no children, with income below 133% of the federal poverty level (about \$14,500 for an individual and \$29,700 for a family of four).¹⁰

Governor Romney

Governor Romney's plans for Medicaid are less detailed; however, he intends to turn Medicaid into a block grant to states while limiting federal standards and requirements on both private insurance and Medicaid coverage.¹¹ Block grants are federal monies given to the states to be utilized however that state sees fit. It is possible that each state will utilize the funds for supporting their healthcare infrastructure, but they would also have the choice to use it for other initiatives.

Repealing ACA as proposed by Governor Romney would eliminate the option of states extending Medicaid coverage as described under the law.

Medicare

President Obama

ACA, as supported by President Obama, would close the gap in Medicare Part D prescription drug coverage called the ‘Donut hole.’ The donut hole refers to the amount of money that a person on Medicare must pay to cover the costs of prescription drugs until a pre-determined spending limit is reached. The donut hole affects many HIV-positive persons who utilize newer drugs that cost a lot of money. Closure of the coverage gap will lead to less out-of-pocket costs for recipients. President Obama intends to maintain Medicare as is and fund the program through 2026 and close the prescription drug donut hole by 2020.¹²

President Obama has recently said, “I will never allow Medicare to be turned into a voucher that would end the program as we know it. We’re not going to go back to the days when our citizens spent their golden years at the mercy of private insurance companies.”

Governor Romney

If ACA is repealed, as proposed by Governor Romney, the provisions that were put in place to close the Medicare Part D prescription drug coverage ‘Donut hole’ would be eliminated.

Romney’s plan for Medicare will have no effect on current seniors or those nearing retirement. However, for future seniors, Medicare will be reformed into a premium support system. This means that existing spending will be repackaged into a fixed-amount benefit to each senior that he or she can use to purchase an insurance plan. All insurance plans will be required to offer coverage at least comparable to what Medicare provides today. However, if seniors choose more expensive plans, they will have to pay the difference between the support amount and the premium price. If a senior chooses a less expensive plan, they can use any leftover support to pay other medical expenses like co-pays and deductibles.¹³

“Traditional” fee-for-service Medicare will be offered by the government as an insurance plan, meaning that seniors can purchase that form of coverage if they prefer it. However, if it costs the government more to provide that service than it costs private plans to offer their versions, then the premiums charged by the government will have to be higher and seniors will have to pay the difference to enroll in the traditional Medicare option. Lower income seniors will receive more generous support to ensure that they can afford coverage; wealthier seniors will receive less support.¹⁴

HIV PREVENTION

Access to Clean Needles—Federal Funding for Clean Syringe Exchanges

President Obama

One of the primary causes of HIV transmissions is the reuse and sharing of infected syringes for intravenous drug use. In an effort to limit the spread of HIV and other infectious diseases through used syringes, President Obama favors lifting the ban on federal funding for clean syringe exchanges and incorporated a provision in the Fiscal Year (FY) 2013 budget that would give local communities the ability to use federal funds to create and maintain syringe exchange programs.¹⁵

Governor Romney

Governor Romney has yet to speak about his intentions for Clean Syringe Exchange Federal funding during his campaign for president. However, his party opposes lifting the ban on federal funding for such exchanges. Furthermore, as Governor of Massachusetts, Romney vetoed a bill legalizing the purchase of syringes after it passed the Massachusetts legislature in 2006. When it was eventually passed, a spokesperson for Governor Romney stated, “Legalizing needles is like giving matches to an arsonist. It undermines our efforts to enforce the state’s drug laws, and it increases the likelihood that dirty and contaminated needles will end up on our beaches, parks, and playgrounds.”¹⁶

Comprehensive Sexual Health Education

President Obama

As Senator of Illinois, President Obama co-sponsored 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.¹⁷ President Obama went on record saying, "We want to make sure that, even as we are teaching responsible sexuality and we are teaching abstinence to children, that we are also making sure that they've got enough understanding about contraception that they don't end up having much more severe problems because of a dumb mistake," at a Forum at Messiah College in 2008.¹⁸ The Obama Administration and Congress eliminated two optional federal funding sources for abstinence only programs; the Community-Based Abstinence Education grant program and the abstinence-only-until-marriage portion of the Adolescent Family Life Act.¹⁹ Congress also made it possible for the third funding stream, the Title V abstinence-only-until-marriage program, to terminate on June 30, 2009.²⁰

Governor Romney

During his tenure as Governor of Massachusetts, Romney accepted nearly \$6.8 million in federal funds for abstinence-only-until-marriage sexual education programs.²¹ In 2002, when asked by a Planned Parenthood questionnaire, "Do you support the teaching of responsible, age-appropriate, factually accurate health and sexuality education, including information about both abstinence and contraception, in public schools?" Governor Romney replied, "Yes." Governor Romney has not spoken about Sex Education in this current election cycle.²²

Condom Distribution in Prisons

President Obama

President Obama's position on this issue is unclear.

Governor Romney

In a 1994 interview, Romney was asked about his position on condom distribution in prisons. He stated, "I would support the conclusion of medical professionals and social workers in prisons as to what they thought was helpful to prevent the spread of disease [HIV/AIDS]. If that was something they thought was appropriate, then I would support it. I don't see any reason why that would be an inappropriate thing."²³

HIV and Immigration

President Obama

In 2010, President Obama signed an executive order eliminating the travel ban on those infected with HIV/AIDS from entering the U.S. This completed a process begun by the previous administration and allowed the International AIDS Conference (IAC) to return to the United States in 2012 for the first time in over 20 years.²⁴

Governor Romney

In 1994 when asked if he opposed restricting the ability of people living with HIV from traveling or immigrating to the U.S., Romney stated, "I think it is a legitimate right of the government to say, 'We don't want to take on massive medical costs which we as a society would have to bear.' On the other hand, I think it would be wrong to deny people who are HIV-positive access to the United States if there were no substantial costs to us."²⁵

It is unclear what Governor Romney's current stance is on the HIV/AIDS travel ban and whether he will seek to reinstate the ban if elected.

HIV Funding

President Obama

In a speech given on December 1, 2010, President Obama committed to a 50% increase in the number of HIV-positive people getting treatment through PEPFAR (President's Emergency Plan for AIDS Relief) and planned to get antiviral drugs to 1.5 million more HIV-positive pregnant women in developing nations.²⁶ The President also fulfilled his pledge to see \$4 billion over three years for the Global Fund to Fight AIDS, Tuberculosis and Malaria. During Obama's first term, the committed monies were tied to programs that only enhanced the effectiveness of the grants.

In addition, Obama announced that \$50 million in funding for Ryan White CARE clinics and AIDS drug assistance programs (ADAP) would be included in this plan, helping to provide those struggling financially with the medication and care they need.²⁷ From Fiscal Year 2012–2013, President Obama's budget request for U.S. Federal Funding for HIV/AIDS programs increased from \$27.7 billion to \$28.4 billion.²⁸ At the International AIDS Conference in July 2012, Hillary Clinton announced on behalf of the Obama Administration that the United States is donating an additional \$150 million to help impoverished countries fight the spread of HIV/AIDS.²⁹

Governor Romney

At a New Hampshire town hall meeting in October of 2011, Mitt Romney was asked about funding for U.S. Global HIV/AIDS treatment initiatives. Romney's response was, "At a time when we are borrowing money to pay for things... I'm very reluctant to borrow lots more money to be able to do wonderful things, if those things can be done by people making charitable contributions or by other countries that are wealthy..."³⁰ Specifics on Romney's plans for HIV/AIDS initiatives funding are unclear and Governor Romney has not indicated whether he intends to maintain current funding for such initiatives or whether he intends to cut funding.

Immigration

President Obama

President Obama announced a new immigration policy on June 15, 2012, that would benefit more than 800,000 undocumented immigrants who came to the U.S. as children. The immigration policy would give them the chance to remain in the country without fear of deportation.³¹ Under this new policy, the Department of Homeland Security is not allowed to deport undocumented immigrants who came to the U.S. before the age of 16, have lived here for at least 5 years, and are in school, are high school graduates, or are military veterans and under the age of 30 with a clean criminal record.³²

Prior to this, President Obama signed the Southwest Border Security Bill on August 13, 2010. This legislation secured \$600 million in additional funds to "enhance technology at the border, share information and support with state, local, and tribal law enforcement, and increase Department of Justice and Department of Homeland Security presence and law enforcement activities at the border, to include increased agents, investigators, and prosecutors, as part of a multi-layered effort to target illicit networks trafficking in people, drugs, illegal weapons, and money."³³

Governor Romney

Mitt Romney plans to ask Congress to raise the caps on visas for highly skilled immigrants while allowing every foreign student who obtains an advanced degree in math, science, or engineering at a U.S. university to be granted permanent residency. Governor Romney will complete a high-tech fence to enhance border security and work to develop an efficient, effective system of exit verification to ensure people do not overstay their visas. Governor Romney supports a mandatory employment verification system that will enable employers to be sure that those they hire are eligible to work. As governor of Massachusetts, he vetoed in-state tuition benefits for undocumented immigrants and opposed driver's licenses for undocumented immigrants. Governor Romney opposes amnesty because he believes that it acts as a magnet encouraging illegal immigration except for cases of young undocumented immigrants who were brought to the United States as children and serve honorably in the United States Military.³⁴

Development, Relief, and Education for Alien Minors Act (DREAM Act)

The DREAM Act is proposed legislation that would allow undocumented immigrants that meet certain requirements to remain in the U.S. lawfully. Immigrants must have entered the U.S. on or before their 15th birthday and been present in the U.S. for at least five years prior to the Act's enactment. The person must be of good moral character, not inadmissible under specified grounds of the Immigration and Nationality Act, has been admitted to an institution of higher education (IHE) in the U.S. or has earned a high school diploma or general education development certificate in the United States, and is age 32 or younger on the date of the Act's enactment.³⁵

President Obama

President Obama supports passage of the DREAM Act and has stated he would sign it into law if passed in Congress. President Barack Obama announced a new immigration policy on June 15, 2012, that would benefit more than 800,000 undocumented immigrants who came to the U.S. as children. The immigration policy would give them the chance to remain in the country without fear of deportation.³¹

Governor Romney

Governor Romney opposes passage of the DREAM Act in its current form and has pledged to veto the bill if passed. Governor Romney has not said whether he would continue the DREAM Act-like executive order signed by President Obama or remove it.³⁶

LGBT LEGAL PROTECTIONS

Hate Crimes/Bullying

President Obama

President Obama signed the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act into law on October 28, 2009. The law provides funding and technical assistance to state, local, and tribal jurisdictions to help them to more effectively investigate and prosecute hate crimes.³⁷

Governor Romney

In 2006, Romney threatened to dissolve the Governor's Commission on Gay and Lesbian Youth in Massachusetts with the intent to expand its mission to cover all youth. The legislature overrode a Romney veto, in response to these threats. A key part of the commission's mandate is the prevention of anti-LGBT bullying in schools.³⁸ Romney's administration also repeatedly delayed the publication of an anti-bullying handbook for public schools, which had been developed in 2002 by Governor Jane Swift's Task Force on Hate Crimes. Romney's current position on bullying and hate crimes is unclear and he has not stated his position publicly.³⁹

LGBT Military Service — “Don't Ask, Don't Tell”

President Obama

On September 20, 2011, President Obama implemented the repeal of Don't Ask, Don't Tell, allowing members of the LGBT community to serve openly in the United States Military.⁴⁰

Governor Romney

Although Romney previously supported Don't Ask Don't Tell, now that it has been repealed, he has no plans to reinstate it. The Des Moines Register, which supported Gov. Romney for the Iowa caucuses, reported that after being asked, “How do you feel about gays serving openly in the military?” Romney responded, “That's already occurred. I'm not planning on reversing that at this stage.”⁴¹

Workplace Discrimination

President Obama

In 2008, President Obama stated he supported an executive order prohibiting federal contractors from discriminating on the basis of sexual orientation or gender identity. However, in April 2012 the President said he would not sign an executive order banning federal contractors from discriminating on the basis of sexual orientation or gender identity, instead favoring legislation.⁴² President Obama does support passage of the Employment Non-Discrimination Act (ENDA), which would prohibit employers across the country from discriminating on the basis of sexual orientation and gender identity.⁴²

Governor Romney

In 2007, Romney appeared on *Meet the Press* with Tim Russert who referred to Romney's support of ENDA in 1994 and asked if this was still his position. Romney replied, "At the state level. I think it makes sense at the state level for states to put in provision of this ... I would not support it at the federal level, and I changed in that regard because I think that policy makes more sense to be evaluated or to be implemented at the state level."⁴³

MARRIAGE EQUALITY & LGBT FAMILIES

Defense of Marriage Act

The Defense of Marriage Act (DOMA) was enacted in 1996 and legally defines marriage as a union between one man and one woman, denying same-sex partnerships the rights, opportunities, and benefits of a state or federally recognized marriage.

President Obama

The Obama Administration declared the Defense of Marriage Act unconstitutional on February 23, 2011, and announced that they would no longer defend it in court.⁴⁴

Governor Romney

Romney has stated that if elected he would instruct the Attorney General to defend the Defense of Marriage Act in addition to seeking Federal Marriage Amendment to the Constitution defining marriage as between one man and one woman.⁴⁵

Same-Sex Marriage/Civil Unions

President Obama

President Obama is the first president to support marriage equality for same-sex couples.

In an interview with ABC in May 2012, President Obama said, "At a certain point, I've just concluded that for me personally it is important for me to go ahead and affirm that I think same-sex couples should be able to get married."⁴⁶

Governor Romney

Governor Romney does not support same-sex marriage or certain civil unions, saying, "I do not favor marriage between people of the same gender, and I do not favor civil unions if they are identical to marriage other than by name ..."⁴⁷ Romney does, however, respect the states' right to define civil unions.

Federal Benefits for Same-Sex Couples

President Obama

The Obama Administration issued a memorandum on June 17, 2009, asking the Office of Personnel Management (OPM) to provide certain benefits to federal employees' same-sex domestic partners. The OPM is barred from extending federal benefits to federal employees' same-sex domestic partners as part of a provision in the Defense of Marriage Act. The OPM has proposed several rules allowing the extension of some benefits under current law such as a form of retirement survivor annuity called an "insurable interest" annuity that is less generous than normally afforded spouses, extension of benefits to federal employees' same-sex domestic partners when in certain overseas assignments, and allowing children of same-sex domestic partners to become eligible for coverage under the federal employee health insurance program.⁴⁸

Governor Romney

Governor Romney has stated that he supports extending certain benefits to workers with same-sex partners. As a candidate for Governor of Massachusetts in 2002 he stated, "Domestic partnership status should be recognized in a way that includes the potential for health benefits and rights of survivorship." In 2003 he added, "We must provide basic civil rights and appropriate benefits to non-traditional couples." This year Governor Romney stated that his "view is that domestic partnership benefits, hospital visitation rights and the like are appropriate but that the others are not." Governor Romney has not provided additional details on what benefits will be deemed appropriate or provided detail on how to extend such benefits.⁴⁹

Adoption

President Obama

During his presidential proclamation of National Adoption Month, President Obama called for equal treatment for same-sex adoptive parents on November 1, 2011.⁵⁰

Governor Romney

Governor Romney has stated in the past he is "fine" with adoptions by same-sex couples and added to his previous statements saying to Charlotte, North Carolina's WBTV, "Well actually I think all states but one allow gay adoption, so that's a position which has been decided by most of the state legislators, including the one in my state some time ago. So I simply acknowledge the fact that gay adoption is legal in all states but one."⁵¹ (Only 11 states and the District of Columbia have laws that explicitly allow gay and lesbian couples to adopt. Florida is the only state that explicitly denies same-sex couples from adopting. Mississippi explicitly bans "same-gender" couples as does Utah through a ban on adoption by all unmarried couples. However, single gay or lesbian people in Mississippi and Utah might be able to adopt. Other states have ambiguous laws that allow for single people, regardless of sexual orientation, to adopt, or joint adoption from married couples, but do not allow joint adoption by unmarried couples.)

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GMHC
446 West 33rd Street
New York, NY 10011

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Written by Lyndel Urbano, Justin DiSanto, Adam Warwinsky and Robert Valadez

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