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HIV-Positive Peace Corps Volunteer Challenges Policy

The American Civil Liberties Union sent a letter April 21 to the Peace Corps about its policy of barring people with HIV from serving as volunteers. The letter was on behalf of a Denver volunteer sent home from the Ukraine and terminated after he tested positive for HIV.

"It was hard enough to learn that I had contracted HIV, but to then be shipped home and told I was unworthy of finishing my service was incredibly humiliating," said Jeremiah Johnson.

Johnson, 25, began his tour as a Peace Corps volunteer in December 2006. He tested negative for HIV prior to beginning his service. For nearly 13 months, he was the sole volunteer in Rozdilna, Ukraine, where he taught English to middle and high school students.

In January 2008, Johnson, who was in Kiev to attend a Russian language program with other volunteers, received a mid-service medical examination and opted to take an HIV test. After the results confirmed that he was positive, he was immediately told that he could no longer work in the country because of a Ukrainian law barring people with HIV from working in the country. He was also told he would not be able to finish his service elsewhere.

Although Johnson had no health problems, he was only allowed to return to Rozdilna for two days to pack his bags. He was then sent to Washington, D.C., and asked Peace Corps officials to explain why he was being terminated and if he could continue his service elsewhere, but these requests were denied. He was given an automatic medical termination, stating HIV as the reason.

According to the ACLU, it is illegal under the Rehabilitation Act for the Peace Corps to discriminate against Johnson because he has HIV. The letter cites a recent federal appeals court decision finding that it is illegal for the

Foreign Service to bar people with HIV from serving. In that case, the Foreign Service, which also sends workers around the globe, had argued that it was justified in barring people with HIV from service to protect the health of people with HIV who would be stationed in areas with limited access to medical treatment. The court rejected that rationale.

The ACLU's letter demands that the Peace Corps change its policy or confirm that it does not have a policy of automatically excluding all people with HIV.

Ex-Felons Serve in Military While Gays Are Discharged

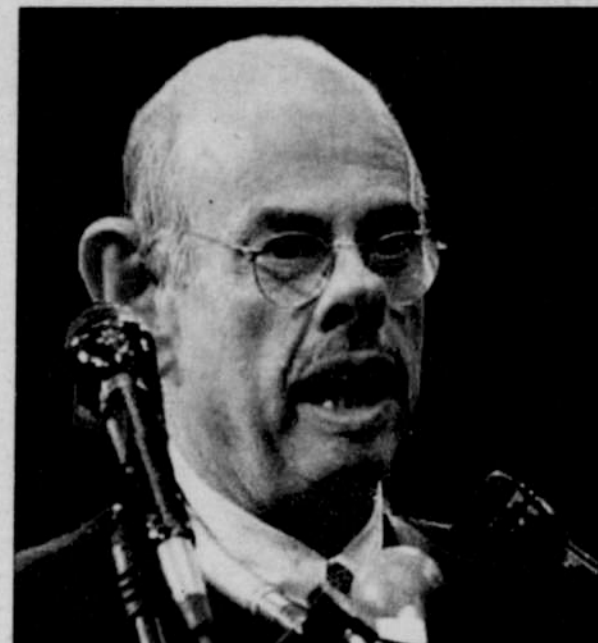
The House Oversight and Government Reform Committee released data April 21 showing a dramatic rise in the number of moral waivers issued to recruits joining the Army and Marine Corps. The number of waivers granted to recruits

convicted of manslaughter, rape, kidnapping and making terrorist threats doubled between 2006 and 2007.

During that same time, the Pentagon continued discharging service members under the "don't ask, don't tell" law banning gay, lesbian and bisexual personnel from serving openly in the military. Pentagon officials released the data following a request for the information from the committee's chairman, U.S. Rep. Henry A. Waxman, D-Calif.

"On the one hand, the Pentagon is discharging highly qualified, honest, law-abiding men and women because they are gay, while on the other hand granting waivers to rapists, killers, kidnapers and terrorists. Repealing 'don't ask, don't tell' will reduce the need to grant felony waivers," said Aubrey Sarvis, executive director of Servicemembers Legal Defense Network.

In 2006 the Pentagon discharged approximately 700 service members under "don't ask, don't tell." According to the Department of De-



Data requested by U.S. Rep. Henry A. Waxman, D-Calif., show that 700 gay servicemembers were discharged one year before the Army granted 511 waivers for ex-felons to serve.

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