



HUMAN
RIGHTS
CAMPAIGN

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2008 Presidential Questionnaire

"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."

Please answer each of the following questions, and elaborate as much as you would like here, or on additional sheets

Candidate Name: __Governor Bill Richardson__

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** **Comments:** *I am committed to protecting all hardworking Americans from employment discrimination. Early in my administration as Governor of New Mexico, I recognized that the civil rights of the sexual minority community must be protected, and that no American should suffer discrimination for being gay, lesbian, bisexual or transgendered. As Governor of New Mexico, I fought for such protection in 2003 by signing into law an extension of the New Mexico Human Rights Act to grant employment protections for our citizens, regardless of an employee's sexual orientation and gender identity.*

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** **Comments:** *Again, it is clear in this new century that the civil rights of*

American sexual minorities must be protected the same as other minorities. In New Mexico, I stepped up to the plate by successfully fighting for the New Mexico Hate Crimes Act, which I signed into law in 2003. Where there was no protection for the GLBT community before, the law of New Mexico now enhances criminal sentences for criminals who are motivated by hate due to the victim's actual or perceived age, gender identity, handicapped status, or sexual orientation.

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** **Comments:** *In America, the treatment of people with HIV/AIDS has had a shameful history. As the disease spread during the 1980's, Republican administrations ignored the problem and community activists spent countless hours trying to get funding for this urgent health care crisis. Yes, I would support increased funding to treat Americans with HIV/AIDS through the CARE Act, but my administration will also work tirelessly to address the larger issue -- to make high-quality health care affordable for every American, regardless of their health status.*

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** **Comments:**

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

***Support** **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** **Comments:**

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?

***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?

Comment: *I am on record supporting domestic partnerships in New Mexico. As a matter of fact, when the regular legislative session adjourned this last session in 2007, I called a special session of the legislature and placed domestic partnerships legislation on the agenda, among other matter. Unfortunately, the legislature was unable to reach an agreement, but I remain committed to the legal recognition of domestic partnerships.*

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** **Comments:** *The law of the land now recognizes that personal family relations are a protected part of our liberty rights as Americans, as expressly held by the United States Supreme Court in Lawrence v. Texas in 2003. In terms of marriage and family relations, states have generally recognized other states' family laws and the federal government should do so as well.*

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** Comments:

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

***Support** **Comments:** *I believe that all employees in equally committed long-term relationships must enjoy the same employment benefits offered to married persons, including FMLA benefits.*

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

***Support** Comments:

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

✳️Support **Comments:** *This is one of the last bastions of discrimination against sexual minorities: unfair tax penalties based on sexual orientation marital status. In order to mitigate the unfair tax penalties that they suffer, sexual minorities incur additional legal expenses in drafting wills, powers of attorney, real estate documents, pension plans, trusts -- all to compensate for the lack of adequate recognition of civil unions in the tax code. My administration will seek fair and equal tax treatment for same-gender families, so they have the same tax benefits as traditional, married couples.*

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 **Comments:** *As Governor of the State of New Mexico, I signed into law Executive Order 2003-010 establishing employment benefits for domestic partners of New Mexico State employees. My Executive Order recognizes both opposite-gender and same-gender domestic partnerships and extends health, dental, and vision benefits to domestic partners of state employees. As President, I will do everything I can in my administration to extend benefits to federal government employee domestic partners.*

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 **Comments:**

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 **Comments:**

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 **Comments:**