

1 [Recognizing San Jose State University for bringing awareness to the United States Food and  
2 Drug Administration's discriminatory policy on blood donations which singles out gay men.]

3 **Resolution recognizing San Jose State University for bringing awareness to the United**  
4 **States Food and Drug Administration's discriminatory policy on blood donations which**  
5 **singles out gay men.**  
6

7 WHEREAS, In January of 2008, San Jose State University prohibited blood drives from  
8 taking place on campus, in order to bring awareness to the United States Food and Drug  
9 Administration's (FDA) discriminatory policy which singles out gay men for a ban on blood  
10 donations; and,

11 WHEREAS, In the wake of San Jose State University's actions, other nearby  
12 community colleges followed suit, and several other Bay Area universities and colleges are  
13 considering how best to proceed with blood drives on their campuses; and,

14 WHEREAS, The FDA has had a policy since 1983 that bans blood donations from men  
15 who have had sex with men, purportedly to reduce blood donations from people who are  
16 infected with HIV; and,

17 WHEREAS, The FDA's policy unfairly singles out a single group - men who have sex  
18 with men - regardless of their individual behaviors, which perpetuates the myth that HIV is a  
19 gay disease and discounts efforts to educate people about safe sex as a means to reduce  
20 transmission of HIV; and,

21 WHEREAS, New HIV infections are occurring across a broad spectrum of people, and  
22 the FDA's policy irresponsibly sends the signal that only men who have sex with men are at  
23 risk; and,  
24  
25

1 WHEREAS, New HIV testing technologies make it possible to detect new HIV infection  
2 in a much smaller time window than when the FDA originally put this ban in place 25 years  
3 ago, and the FDA's policy is only helpful to the extent that available HIV tests would be unable  
4 to detect HIV in a donor's blood, which would only occur in cases of new HIV infection; and,

5 WHEREAS, The number of new HIV infections attributed to men who have sex with  
6 men, which was 65 percent in 1985, is now only 43 percent of all new HIV infections; now,  
7 therefore, be it

8 RESOLVED, That the Board of Supervisors of San Francisco recognizes San Jose  
9 State University for bringing awareness to the United States Food and Drug Administration's  
10 discriminatory policy banning blood donations from gay men; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors calls on the FDA to rescind this  
12 policy; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
14 to submit a letter to the Director of the FDA on an annual basis calling on the FDA to rescind  
15 this policy so long as it remains unchanged.



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Resolution

**File Number:** 080486

**Date Passed:**

Resolution recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men.

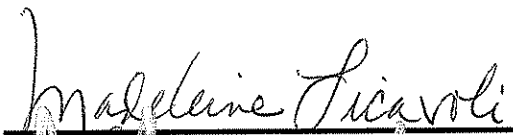
April 15, 2008 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

Absent: 1 - Duffy

File No. 080486

I hereby certify that the foregoing Resolution  
was ADOPTED on April 15, 2008 by the  
Board of Supervisors of the City and County  
of San Francisco.

  
for Angela Calvillo  
Clerk of the Board

4.17.08  
Date Approved

  
Mayor Gavin Newsom