RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Vince.Micone (Vince.Micone@justice.usdoj.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:23-OCT-1997 15:17:00.00

SUBJECT: Follow-up to Lunch

TO: Paul J. Yandura (Paul J. Yandura@eop [UNKNOWN])
READ:UNKNOWN

TEXT:
Paul,

It was great meeting you yesterday. I very much enjoyed lunch, and look forward to working with you on the World AIDS Day program an other activities.

Attached is our internal "after-action report" for last years WAD. If it doesn't come through, please let me know and I'll fax (send number) over a copy.

The PHS Physician is responsible for Infectious Disease Programs at the BOP is Dr. Newton Kendig, 202-307-2867, x141.

I will give Pat Hawkins, the Whitman-Walker Assistant Exec. Director for External Affairs, your number about the HI/AIDS correctional programs. She's certainly an effective advocate in this area, and may provide you with some excellent thinking points.

Can I get a copy of the World Health Association's World AIDS Day publication from you? I can send a messenger over.

Thanks! Let me know how I can be of assistance!

Vince

```
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end==================== ATTACHMENT 1 ====================
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 23 Oct 1997 15:19:36 -0400 (EDT)
Received: from storm.eop.gov (storm.eop.gov)
 by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IP5FUU5URK00PYQR@PMDF.EOP.GOV> for
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 (V1.3) id sma000522; Thu Oct 23 15:16:24 1997
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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: RAPANUIJER (RAPANUIJER@aol.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME: 7-MAY-1998 16:11:00.00

SUBJECT: Re: CUBA

TO: Daniel C. Montoya (Daniel C. Montoya@eop [UNKNOWN])
READ:UNKNOWN

TEXT:
Bob,

At your request, I am re-sending you the Cuba recommendation for reconsideration in June. (See below) Thanks for your continued interest. This was tabled at our December meeting. (We must also follow up with ONAP to see that this material is included in our meeting book.)

As you know, the main concern voiced by members of the Council which led to the tabling of this important recommendation, was whether or not it could be considered an "AIDS-specific" issue. In addition to the recent articles by myself & Jim Graham (see IAPAC Journal Vol 4. #1 - January 1998), I attach the enclosed 10-page AIDS-specific article from the American Association of World Health report; The Impact of the U.S. Embargo on Health & Nutrition in Cuba. (March, 1997) I call your attention particularly to pages 234 -- 239 ("HIV/AIDS & the U.S. Embargo"). [NOTE: Please inform me immediately if the attachment fails to be readible.]

I think you will see that this is definitely an AIDS-specific issue. Over 100 members of Congress (Rep & Dem) as well as the President are interested in easing humanitarian restrictions with respect to Cuba. It is important that we support the President when he is interested in doing the right thing. My recent trip to Cuba underscored to me how important to people with AIDS our advocacy can be! Recent changes in opinion among Cuban-Americans make this an ideal time for us to be pro-active!

RECOMMENDATION

The Presidential Advisory Council on HIV/AIDS recommends that the President support efforts in Congress directed at amending the Embargo Authority in the Foreign Assistance Act of 1961 so that any such embargo shall not apply with respect to the export of any food, medicines, medical supplies, medical instruments, or medical equipment, or with respect to travel incident to the delivery of food, medicines, medical supplies, medical instruments, or medical equipment. The embargo of such supplies contributes to the suffering of persons with HIV/AIDS and other diseases and is contrary to international humanitarian principles by which the United States should abide.==========
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==================== ATTACHMENT   2 ====================
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```

American Association for World Health

Fax Cover Sheet

Date: April 24, 1998

Pages including this page: 10

To: Jerry Landau

Fax: 505-988-2492

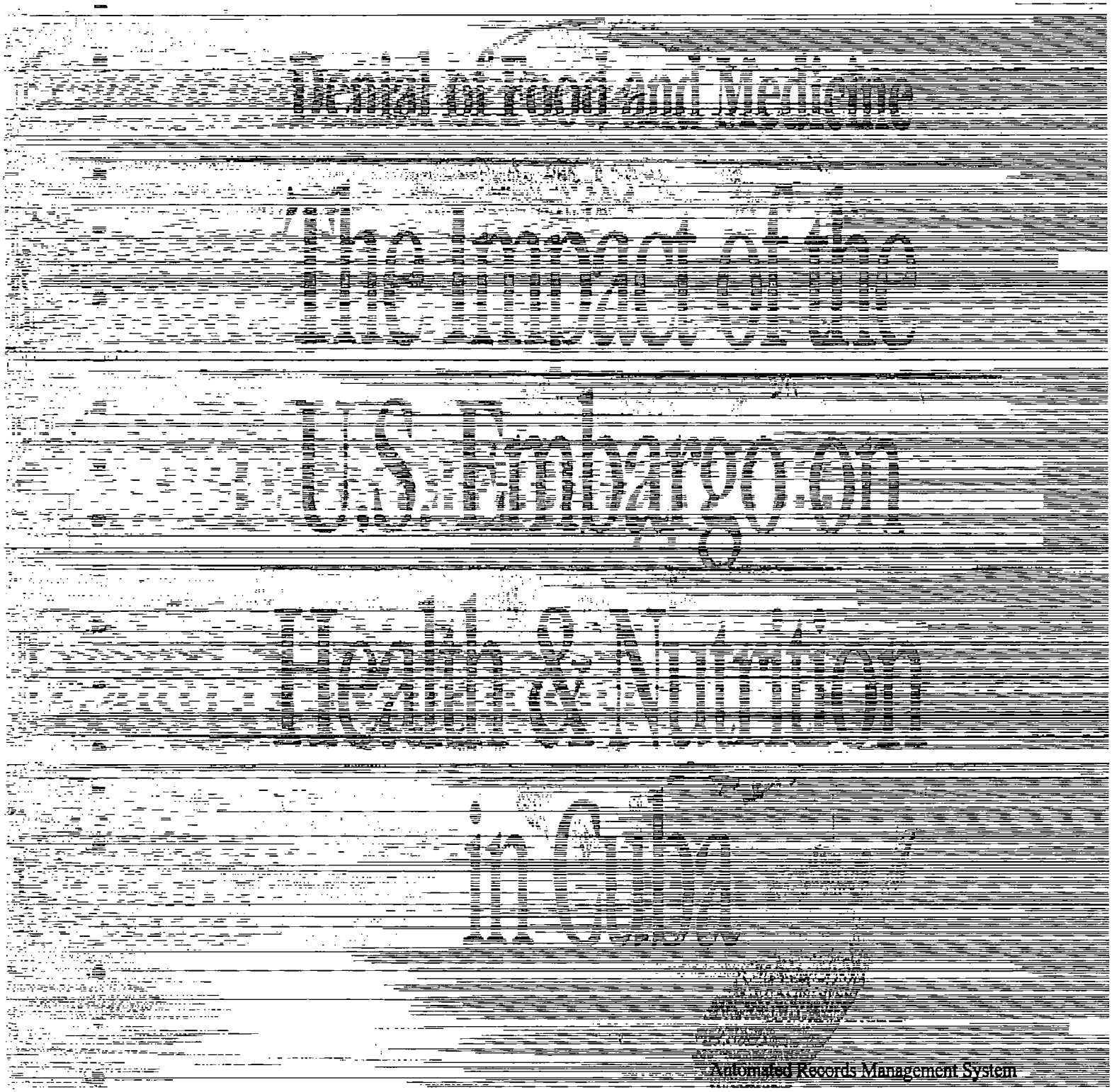
From: Richard L. Wittenberg

Fax: 202-466-5896

Phone: 202-466-5883

If you have any problems with this facsimile, please call 202.466.5883.

Per our conversation, here is the HIV/Aids information that you requested. If you decide to use this information in your report please cite it accordingly. The cover page of the report has been included for your convenience.



The [illegible] Program

The Pedro Kouri Institute for Tropical Medicine is the national reference center for clinical management of HIV/AIDS and provides hospitalization for AIDS cases when necessary and for those whose AIDS-related illness requires more complex services than those offered by sanatorium infirmaries.

Other Cuban institutions directly related to the prevention, education, diagnosis, treatment and research concerning AIDS are the National Reference Laboratory for HIV, the National Immunoassay Center, the National Blood Bank System and the Center for Genetic Engineering and Biotechnology.

CUBA AIDS STATISTICS
(FROM JANUARY 1, 1986 TO JANUARY [illegible], 1995)

	Number	%
TOTAL HIV POSITIVE	1,200	
Men	847	70.6
Women	353	29.4
Gay or Bisexual (male)	520	43.3 of total 1,200
		61.4 of men
WHERE HIV ACQUIRED		
Cuba	982	81.8
The Americas	35	2.9
Africa	167	13.9
Europe	10	0.8
Unknown	6	0.5
[illegible]	[illegible]	

MODE OF TRANSMISSION	Number	%
Heterosexual	520	43.3
Gay or Bisexual	604	50.3
Blood Recipients	9	0.8

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Hex-Dump Conversion

HIV Positive Cases by Region and Sex*

Province	Female		Male		Total	
	Cases	Rate	Cases	Rate	Cases	Rate
Pinar del Río	38	10.09	74	18.63	112	14.42
La Habana	10	2.81	33	9.16	43	6.00
City of Havana	134	11.84	379	36.07	513	23.81
Matanzas	9	2.66	24	7.02	33	4.87
Villa Clara	51	11.54	120	26.06	171	19.18
Cienfuegos	15	7.47	24	11.63	39	9.62
Sancti Spíritus	25	10.85	56	23.15	81	17.00
Ciego de Ávila	10	4.86	19	8.25	29	5.62
Camagüey	7	1.70	26	6.19	33	3.97
Las Tunas	7	2.59	15	5.63	25	4.00
Holguín	10	1.93	17	3.02	27	2.43
Granma	12	2.79	19	4.24	31	3.49
Santiago de Cuba	9	1.79	25	4.81	34	3.06
Guantánamo	13	4.71	15	5.39	28	5.05
Isla de la Juventud	3	7.40	3	7.05	6	7.24
National	353	6.18	847	[illegible]	1,200	10.93

*Annual rate per 1,000,000 inhabitants.

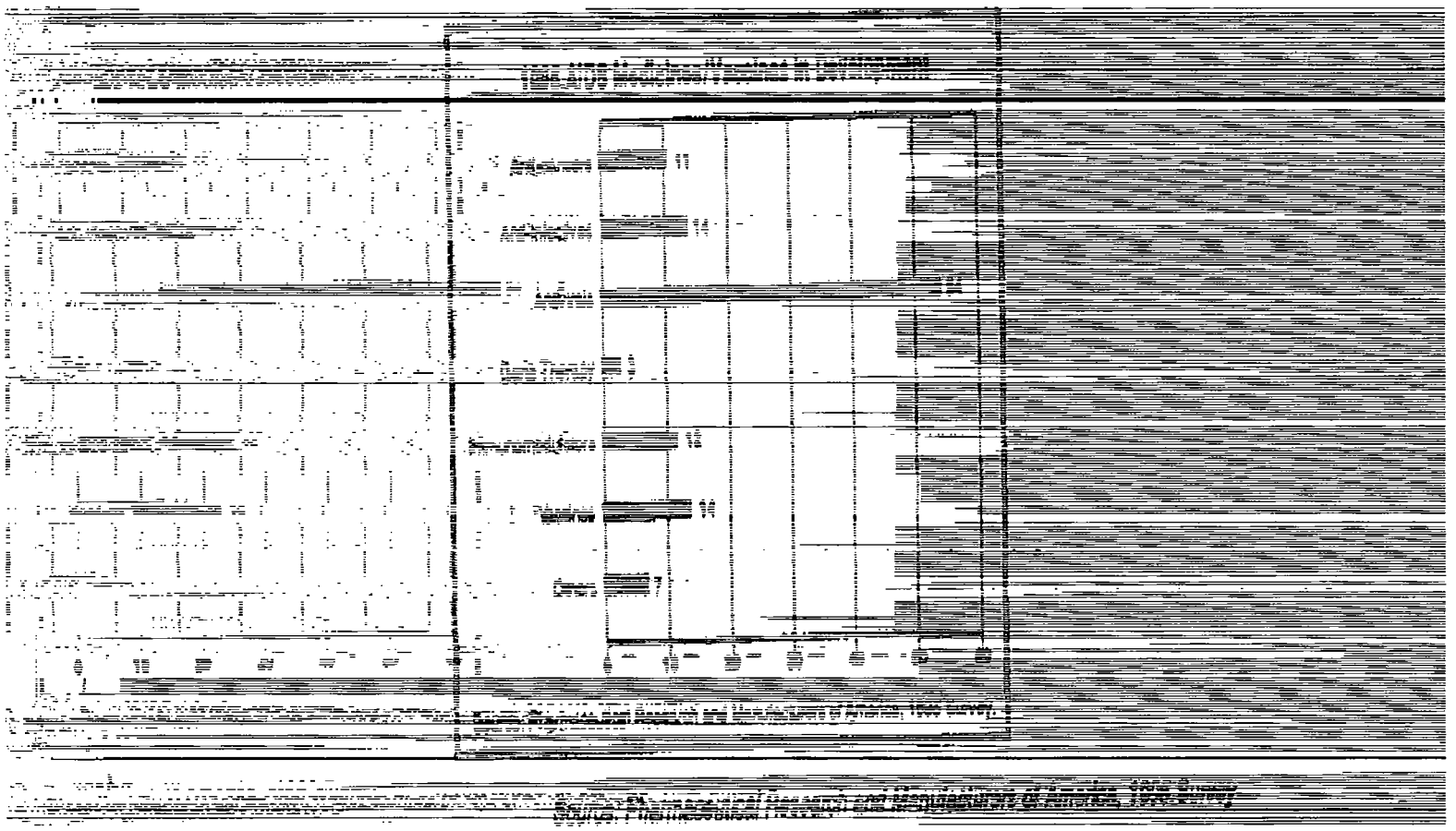
Source: Epidemiology Department, Havana AIDS Sanatorium, 1995

HIV/AIDS and the U.S. Embargo

On the basis of on-site visits to the Havana AIDS Sanatorium and the Pedro Kourí Institute of Tropical Medicine, interviews with specialists and patients, bibliographic materials, and statistical data, it can be concluded that prevention, diagnosis, treatment and research involving HIV/AIDS have been negatively impacted by the U.S. embargo. Specifically, by restrictions on access to U.S. companies and their foreign subsidiaries; limitations on exports of U.S. components or patented items; prohibitions on exports that would contribute to Cuba's biotechnology research and industry; and travel restrictions leading to reduced access to scientific information and fewer opportunities for scientific exchange. The families of AIDS patients have also been negatively affected by limitations on travel (see chapter on Family Relations and Humanitarian Emergencies).

During the economic crisis of the nineties, additional efforts to prevent HIV/AIDS have been considerably impaired, a situation exacerbated by the embargo's contribution to the general

Automated Records Management System
Hex-Dump Conversion



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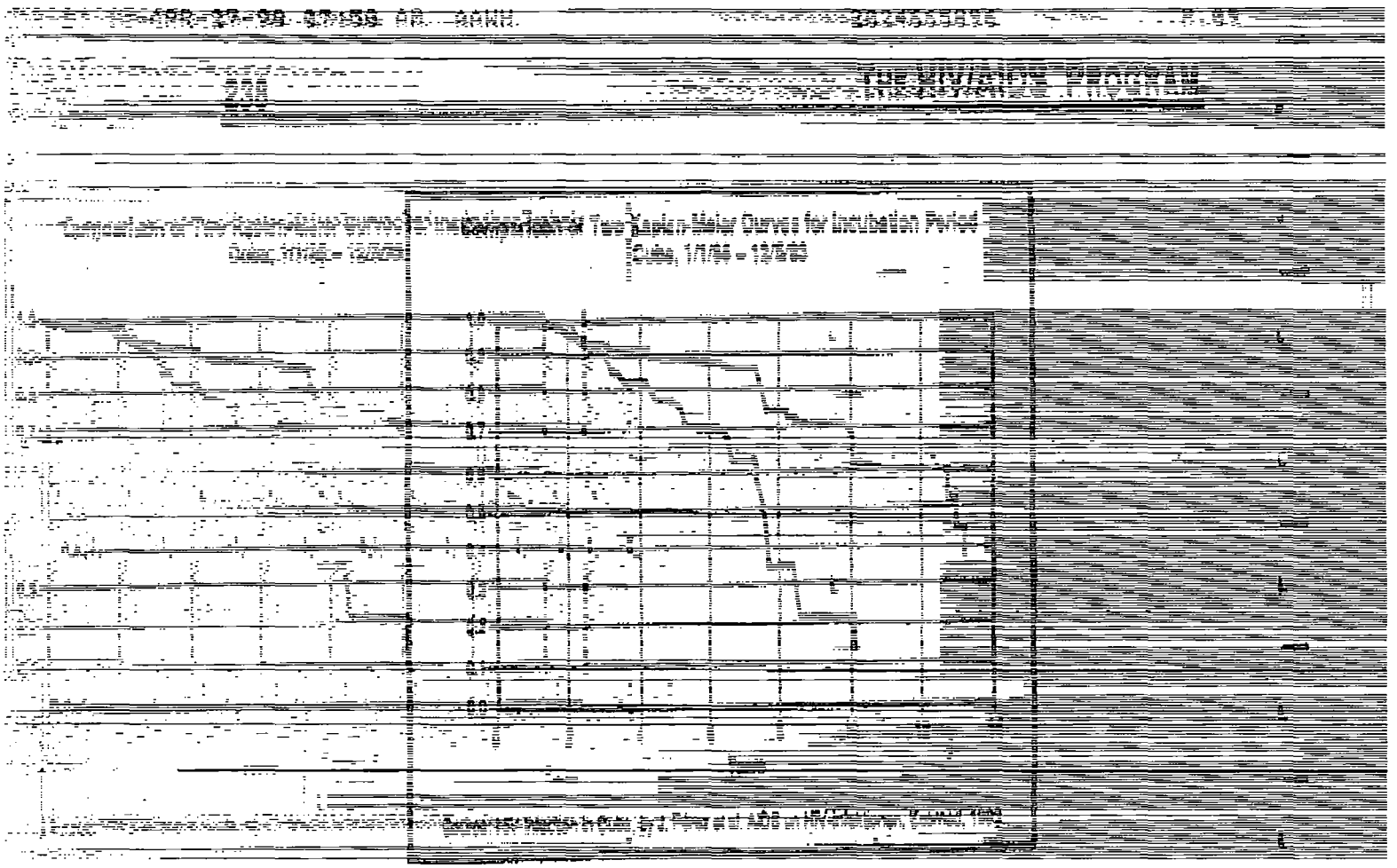

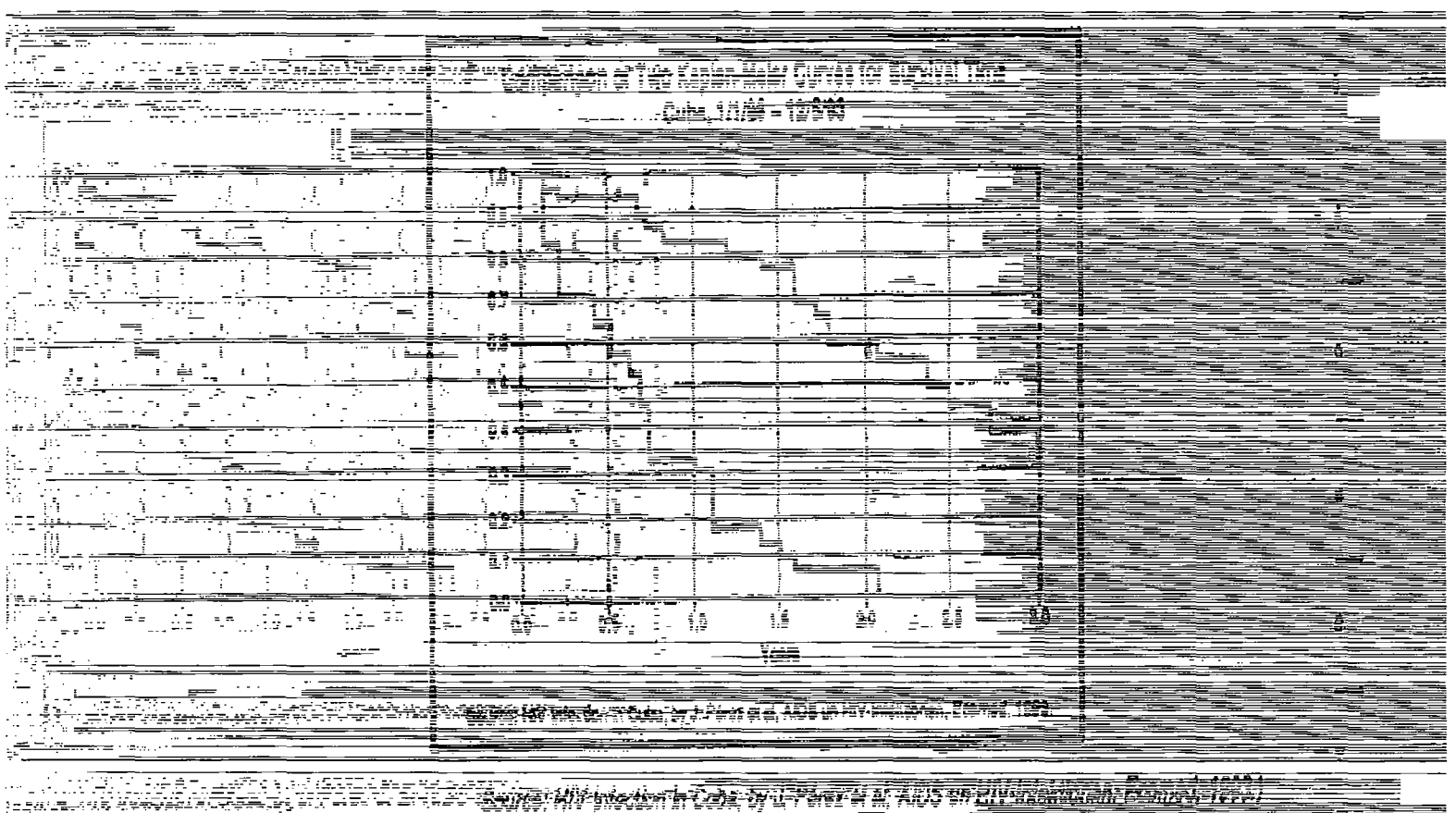

[illegible] scientists extend their research and development as well as exploration of treatment [illegible] have been adversely affected by the U.S. embargo, which has reduced their access to scientific information and professional exchange. Examples cited include:

For five consecutive years (from 1988 to 1993), the U.S. State Department gave no answer on visa applications from Dr. [illegible] sponsored by the World Health Organization (WHO) to attend an epidemiology course on AIDS at the Centers for Disease Control in Atlanta, in conjunction with Emory University.

U.S. scientists were unable to attend a series of scientific workshops sponsored by the Pedro Kouri Institute for Tropical Medicine and the National AIDS Prevention and Control Program in Havana, due to [illegible] travel restrictions [illegible] in August 1994. The courses included "Advances in HIV", "Treatment and Diagnosis of Parasitic Diseases" and others [illegible]

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: JWright (JWright@osophs.dhhs.gov (Jason Wright) [UNKNOWN])

CREATION DATE/TIME:25-MAY-1999 19:28:55.00

SUBJECT: Re: AIDS and South Africa

TO: Thomas_M._Rosshirt (Thomas_M._Rosshirt@ovp.eop.gov [ovp])
READ:UNKNOWN

CC: Daniel C. Montoya (CN=Daniel C. Montoya/OU=OPD/O=EOP [OPD])
READ:UNKNOWN

CC: montoya_dc (montoya_dc@a1.eop.gov [UNKNOWN])
READ:UNKNOWN

TEXT:

Tom,

Since you have not had the opportunity to respond to my voice mail, I thought that I would send you a copy of the draft letter.

The letter originates from the Consumer Project on Technology, which is directed by James (Jamie) Love and is under the Center for Study of Responsive Law started by Ralph Nader in 1968.

An initial list of signatures appears at the bottom of the letter. Signatures are to be accepted through June 30.

I continue to update Daniel Montoya on the issue. Since it is an extremely complicated issue, please feel free to contact me if you would like more background.

Jason Taylor Wright, MSFS, MA
International Health Officer
Office of International and Refugee Health
Department of Health and Human Services
(301) 443-7246 phone

(301) 443-6288 fax

jwright@osophs.dhhs.gov

_____ Reply Separator

_____

Subject: AIDS and South Africa

Author: Thomas_M._Rosshirt@ovp.eop.gov at INTERNET

Date: 5/19/99 4:22 PM

Jason:

I've heard you're on top of the issue of AIDS, Africa, and the cost of pharmaceuticals. Do you know anything about the group releasing the petition, and whether the petition has been released yet? thanks.

Tom

****

Sign-on letter to Vice President Gore regarding his opposition to African access to essential medicines

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** Over the past three years public health groups have repeatedly petitioned Vice President Gore (co-chair of the US/South Africa Binational Commission) and US trade organizations to stop pressuring South Africa and other developing countries over to access to medicines.

** The disputes involve complex intellectual property and trade matters. In essence, the US government is demanding that South Africa, India, Thailand and many other countries not enact provisions in WTO/TRIPS rules on intellectual property that would lower drug prices. The US position is that WTO rules regarding protection of patent rights are not high enough.

** Africa is suffering from a mind boggling public health emergency. According to the US Surgeon General, in nine south African nations, 20% to 26% of people between the ages of 15 and 49 are infected with HIV/AIDS. The disease is also widespread and growing in Thailand, India and other parts of the world, and is associated also with new epidemics in tuberculous, meningitis and other diseases. Public health authorities believe this is creating new treatment resistance strains of infectious illnesses.

** So far all efforts to change US policy have failed. On April 30, 1999, Vice President Gore authorized the USTR to issue a sweeping new review of South Africa policies on compulsory licensing, parallel imports and approval of generic drugs such as Taxol. Among other things, the US government is officially punishing South African for permitting its public health officials to speak out on trade and intellectual property issues in the World Health Organization.

** Public health groups now are trying to reach a broader audience. We are asking for signatures on the following letter to the Vice President. We hope we can raise enough public awareness in this issue that the Vice President will be forced to change US policy. Please help circulate this important letter.

James Love <love@cptech.org> 202.387.8030

http://www.cptech.org

If you are willing to sign, please send the following information to James Love by mail <love@cptech.org> or by fax 202.234.5176.

Yes, include my name:

Name:

Title (optional):

Affiliation (optional): City, State, Country:

(For more info, see http://www.cptech.org/ip/health/sa signatures will be accepted through June 30, 1999)

<-----the sign-on letter to Vice President Gore------>

Dear Vice President Gore,

We are writing to express opposition to trade pressures you are bringing against the people of South Africa over their struggle to obtain access to essential medicines.

The White House dispute with South Africa concerns three basic points.

1. The South Africa government has indicated it wants to use compulsory licensing of medical patents to produce cheaper copies of HIV drugs and other essential medicines. This is of course legal under the WTO/TRIPS agreement, subject to Article 31 safeguards.

2. The South Africa government wants to authorize "parallel imports"

of pharmaceuticals, so that it can buy drugs in the United States, Europe or elsewhere, in order to get the best world price. As you know, parallel importing of pharmaceuticals is legal under Article 6 of the WTO/TRIPS agreement, and is a common practice in Europe.

3. The South African government has approved generic versions of Taxol, a US government invention for treating cancer.

As co-chairman of the US/South Africa Binational Commission (BNC) you have authorized a wide range of trade pressures against South Africa, much of which is documented in a February 5, 1999 report to the Congress by the US Department of State. (See http://www.cptech.org/ip/health/sa/stdept-feb51999.html.)

Despite increasing criticism of the US bilateral pressures on South Africa, here and internationally, your office has authorized new trade pressures against South Africa on April 30, 1999. (See: http://www.cptech.org/ip/health/sa/sa301-ap99.html.)

The April 30, 1999 announcement of a Special 301 out-of-cycle review of trade pressures against South Africa ignored every shred of information that has been provided to your office by public health groups. Indeed, this most recent announcement is basically a recycled version of the February 16, 1999 submissions by the Pharmaceutical Research and Manufactures Association (PhRMA), the trade association that represents giant drug companies like Bristol-Myers Squibb, Glaxo, Pfizer, and Johnson and Johnson that are trying to stop South Africa from implementing policies to cut costs for pharmaceuticals in South Africa.

It is shocking that the US government is adapting such an aggressive trade policy on behalf of US pharmaceutical companies, when all of sub-Saharan Africa is confronted with a public health crisis of historical dimensions. The US Surgeon General, Dr. David Satcher, recently wrote in the Journal of the America Medical Association that "HIV/AIDS can be likened to the plague that decimated the population of Europe in the 14th century." Dr. Satcher says that "in many southern African countries, HIV/AIDS has become an unprecedented emergency, with 20% to 26% of people between the ages of 15 and 49 infected."

This is a here-and-now emergency. It is not a hypothetical or potential emergency. These people will die without access to pharmaceutical drugs.

Your response to this emergency should be to find ways to save lives. But look what you are doing.

** You are aggressively seeking the repeal of legislation in South Africa that would permit that country to do what nations in Europe do, use parallel imports to buy drugs at the best world price. South Africa wants to use market forces to cut drug costs. You are pushing to protect pharmaceutical companies from global competition, thereby forcing the South Africa people to pay premiums to buy drugs.

** You are punishing South Africa for even speaking out in favor of compulsory licensing of HIV/AIDS and other essential medicines. The April 30, 1999 report on South Africa complains that:

During the past year, South African representatives have led a faction

of nations in the World Health Organization (WHO) in calling for a reduction in the level of protection provided for pharmaceuticals in TRIPS.

In fact, everything South Africa is seeking to do is legal under the WTO/TRIPS agreement, so this and countless other statements by US government officials are bald lies. But regardless, the exercise of free speech in international forums is an astonishing basis for trade sanctions. As an elected official, indeed, as a human, how would you act if 20 percent of all sexually active young people in the United States were infected with a fatal disease, and a foreign country was trying to prevent you from purchasing drugs on the global market to save money, and was preventing you from licensing firms to manufacture life saving medicines? Would you simply show up at the World Health Assembly and docilely applaud the actions of that country? Even if that foreign country was engaged in a relentless public relations campaign to label every legal action as a form of piracy or lawlessness? At what point would you have the guts to tell the world the truth, and to speak out on behalf of millions of infected young men and women?

** You are punishing South Africa for giving approval to generic versions of Taxol, a cancer drug that was invented by the US government. There are aspects of the US government complaint about Taxol that are absurd, on technical grounds, such as the insistence that South Africa extend longer periods of data exclusivity than are required in the United States. But the larger issue is more basic. Why on earth should Vice President Al Gore or any other US government employee seek to prevent global competition for Taxol, a life saving cancer drug that was invented and developed by the US National

Institutes of Health? Taxol was in NIH sponsored Phase III trials before the Bush Administration gave BMS exclusive rights to use NIH research for drug approvals. What is the moral basis for extending the BMS monopoly on Taxol in a country that is so poor?

As the Vice President of the United States you are in a position to do much good or much harm in the world. US voters will soon be asked to determine if you should be the next President of the United States. Please explain why they should choose you.

Sincerely,

James Love
Director
Consumer Project on Technology

Dr. Bernard P?coul
Project Director
Access to Essential Drugs
M?decins Sans Fronti?res

Joelle Tanguy
Executive Director
Doctors Without Borders/Medecins Sans Frontieres USA

Eric Sawyer
Executive Director
HIV/AIDS Human Rights Project

Kim Nichols

Development Director

African Services Committee, Inc.

Bas van der Heide

Director

Health Action International Europe

Beryl Leach

Africa Program Coordinator

Health Action International

Lori Wallach

Director

Global Trade Watch

Professor Richard Laing

Boston University

Robert Weissman

Co-Director

Essential Action

David Scondras

President

Search for a Cure

Bob Lederer

Senior Editor

POZ Magazine

Steve Suppan, PhD

Director of Research

Institute for Agriculture and Trade

Axel Delmotte

Act Up - Paris

Professor Patrick Bond

University of the Witwatersrand

Graduate School of Public and Development Management Johannesburg,

South Africa

Clarence Mini, MD

Treatment Action Campaign

Johannesburg, Gauteng Province, South Africa

Ellen 't Hoen

International Drug Policy Consultant Amsterdam, The Netherlands

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James Love, Director, Consumer Project on Technology

I can be reached at love@cptech.org, by telephone 202.387.8030, by fax

at 202.234.5176. CPT web page is http://www.cptech.org