

FOIA MARKER

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Agency Submissions-Justice

Stack:	Row:	Section:	Shelf:	Position:
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10/23

Amie -

In listed

Title III: Can't keep people from getting married.

| More cases

| Rehab act of 1973 - what does it cover.

| copy of ADA.

MEMORANDUM

TO: Jane Sanville
FROM: Amie Ravitz
RE: Civil Rights and the National Plan to Combat AIDS.
DATE: 20 October 1995

Jane - Here is revised text as per your suggestions. I will pull a few typical cases this weekend, to be inserted at the " * "'s. I will also do a short search re: other laws acting on PWA's, should I include funding bills like HOPWA? I will get the info and you can let me know what we can use. Had to go to a public interest job fair @ AU today. Sorry so last minute. I'll be in Monday AM. Thanks!

Amie

Civil Rights Issues Facing People Living with AIDS and HIV.

Many of the more common legal issues faced by people living with HIV and AIDS, such as family law issues, estate planning, landlord/tenant problems and benefits issues fall within the state police and commerce powers, and are therefore regulated by state law. It is only when an individual's rights have been statutorily or constitutionally conferred to the protection of the Federal government that Federal law comes into play.

In both state and Federal claims brought by people with disabilities, most include charges that a complainant's Constitutional rights have been violated. For example, an individual bringing suit against her employer, on grounds that she was fired because she has AIDS would charge first that the firing violated Title II of the Americans With Disabilities Act and that

the

her dismissal on the basis of her disability violated the Amendment Fourteen of the United States Constitution. Like discrimination on the basis of race or gender, discrimination on the basis of disability implicates the Fourteenth Amendment of the Constitution, guaranteeing a disabled individual's right to equal protection of the law.

Federal Legal Protections.

The primary source of Federal statutory protection for people living with AIDS is the Americans with Disabilities Act of 1990 (hereinafter ADA). Various other Acts were previously relied upon in piecemeal fashion to prevent discrimination on the basis of disability, including AIDS and HIV status.¹ Federal agencies are prohibited from discriminating against people with disabilities under the Rehabilitation Act of 1973.² * federal gov't & gov't

Title I of the ADA prohibits discrimination against otherwise qualified disabled individuals in employment settings. The Act requires potential or current employers to provide reasonable accommodations for an individual's disability, enabling them to perform a job's requirements, so long as such an accommodation

¹For example, the Air Carrier Access Act of 1986, and the Fair Housing Amendments Act of 1988.

²See Leckelt v. Board of Commissioners of Hospital Dist. No.1, 714 F.Supp 1377, aff'd, 909 F.2d 820 (5th Cir. 1990).

does not impose an undue hardship on the covered entity or employer. The Equal Employment Opportunity Commission (EEOC) is responsible for enforcing Title I.

Title II of the ADA prohibits discrimination on the basis of disability with regard to public services. Subtitle B of Title II proscribes standards for access to public transportation providers. Title III prohibits discrimination on the basis of discrimination in public accommodations and, like Title II, proscribes standards for maintaining non-discriminatory access and "full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations" of such public entities.³ The Department of Justice (DOJ) is responsible for enforcing Titles II and III. ⁴ *

As stated, discrimination as regards employment by Federal agencies is governed by the Rehabilitation Act of 1973. The Employee Standards Administration of the Department of Labor, through the Office of Contract Compliance Programs, enforces §503 of the Act, which extends the prohibition of discrimination on the basis of disability to government contractors and subcontractors.

Other Federal Responsibilities.

In addition to enforcing relevant provisions of the ADA and

³ADA, §302(a).

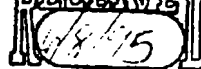
Title IV provides for access to telecommunications services and technology for people with disability, and Title V is the Act's "Miscellaneous Provisions" section.

litigating civil rights cases involving discrimination based on an individual's real or perceived HIV status, DOJ is responsible for programs that affect populations that have been hit especially hard by the epidemic. In the DOJ's Bureau of Prisons (BoP), the Department has initiated preventative measure directed at both BoP staff, and at inmates. Measures regarding inmates include random testing for HIV though only about 10 percent are actually tested. The Department has also put in place a prevention program for officers and staff of the Drug Enforcement Administration (DEA), and the Federal Bureau of Investigation (FBI), both of which include training and education regarding bloodborne pathogens, as well as investigative safety procedures. The Department of Labor has also enacted Federal employee AIDS awareness and training programs.

The DOJ has provided similar staff training in its administration of the Immigration and Naturalization Service (INS). Furthermore, the INS has provided for limited testing of detainees suspected or diagnosed with HIV or AIDS, or at the detainee's request. INS provides pre- and post- test counseling for detainees believed at risk.

The following response was received from the Office of Federal Contract Compliance Programs (OFCCP) within the Employment Standards Administration.

Area: Civil Rights



Reply to the Attention of:

June 7, 1995

Pat

MEMORANDUM FOR FREDERICK A. DRAYTON
Director
Office of Safety and Health

Donna G. Copson

FROM: DONNA G. COPSON
Director, Office of Management,
Administration and Planning

SUBJECT: National Plan on HIV/AIDS

This responds to your memorandum requesting information on activities/programs within the Employment Standards Administration (ESA) that contribute to the Federal effort at combating HIV/AIDS.

ESA adheres to guidance provided by the Department regarding HIV/AIDS awareness training and related matters. In addition, the Office of Federal Contract Compliance Programs (OFCCP) enforces Section 503 of the Rehabilitation Act of 1973, which prohibits Federal contractors and subcontractors from discriminating in employment against individuals with disabilities. OFCCP established policies under Section 503 providing for processing and investigating complaints filed by or on behalf of persons with AIDS and related conditions.

If you have any questions, you may contact the ESA Safety and Health Manager, Williamette Whiting, on 219-8447.

10/10/95

**Department of Justice
National Plan on HIV/AIDS**

Area: Civil Rights

Goal: Enforce Civil Rights Laws/Heighten Issue Awareness

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Prevent discrimination on the basis of real or perceived HIV status.	Enforce Civil Rights Laws; inform and educate the public.	1) Litigate HIV-related civil rights cases involving housing discrimination and discrimination in the provision of services. 2) Provide information via the ADA hotline; provide technical assistance to state and local governments, businesses and other entities having rights and responsibilities under Titles II and III of the Americans with Disabilities Act ("ADA").	1) It's not possible to isolate the HIV-related information. 2)The cost of operating and staffing the hotline is approximately \$325-\$375 thousand.	1) See FY 1995. 2) See FY 1995.	Victims of HIV/AIDS discrimination and their families. Federal, state and local agencies. Service providers and medical providers. Businesses, general populace.	N/A	Funds for attorneys for additional litigation. Public education and technical assistance for healthcare and daycare providers about their ADA obligations to persons with HIV. <i>#cases/year?</i>

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention and Services/INS

Goal: Reduce the risk of infection to at risk detainees

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate detainees believed to be at risk regarding HIV/AIDS and thereby reduce the risk of infections/transmission.	Provide limited testing and counseling.	1) Test detainees suspected of or diagnosed with HIV/AIDS or test upon detainee request. 2) Provide pre- and post-test counseling to detainees deemed at risk.	1&2) The information is not isolable from the remainder of the Health Services Division budget.	1&2) See FY 1995.	Detainees	N/A	None

→ All are tested?
What happens if they are found to be positive?

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/INS

Goal: Reduce the risk of employee infection, and avoid possible worksite performance problems caused by fear and intolerance

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Immigration and Naturalization Service employees regarding HIV/AIDS, and thereby reduce both the risk of employee infections and the fears often associated with the disease.	Provide training	Provide AIDS Awareness/Policy training to all employees in FY 1995. Provide annual follow-up as needed thereafter.	\$140,000	Future training will be accomplished via contract trainers on an as needed basis.	INS employees	N/A	None

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/FBI

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate FBI employees re HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training.	1) (a) Provide one-time general training to employees at FBI headquarters; 1) (b) Provide separate training for law enforcement officers; 1) (c) Provide training for evidence response teams. 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	(1) - (3) \$6,400	(1) - (3) \$7,200	FBI employees	N/A	Additional field office training.

**Department of Justice
National Plan on HIV/AIDS**

Area: Civil Rights

Goal: Enforce Civil Rights Laws/Heighten Issue Awareness

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
Prevent discrimination on the basis of real or perceived HIV status.	Enforce Civil Rights Laws; inform and educate the public. <i>name of packet, pamphlet?</i>	1) Litigate HIV-related civil rights cases involving housing discrimination and discrimination in the provision of services. 2) Provide information via the ADA hotline; provide technical assistance to state and local governments, federal agencies and other entities having rights and responsibilities under Titles II and III of the Americans with Disabilities Act ("ADA"). 3) Developed and disseminated information about the ADA and its applicability to persons with HIV and AIDS to 500 agencies providing services for this population.	1) It's not possible to isolate the HIV-related information. 2)The cost of operating and staffing the hotline is approximately \$325-\$375 thousand.	1) See FY 1995. 2) See FY 1995.	Victims of HIV/AIDS discrimination. Federal, state and local agencies. Businesses, general populace.	Funds for attorneys for additional litigation. Public education and technical assistance for healthcare and daycare providers about their ADA obligations to persons with HIV.	

Could we get a copy?

How what did this pamphlet describe

**Department of Justice
National Plan on HIV/AIDS**

Area: Prevention/Bureau of Prisons

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs				Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement
			FY 1995	FY 1996 (proposed)		
Educate Bureau of Prisons staff, as well as prisoners regarding HIV/AIDS and thereby reduce the risk of infection/transmission.	Provide annual training and limited testing.	1) Provide annual HIV information update and infectious disease training to all BOP staff. 2) Produce two inmate/staff HIV educational videos. 3) Participate at least quarterly with HRSA in audio conferences on HIV issues. 4) Conduct random HIV testing on inmates upon admission.	1) None 2) None 3) None 4) \$500,000	1) None 2) None 3) None 4) \$500,000	BOP employees and inmates	Funding for testing of all inmates (currently approx. 10% are tested).

Why not separate the population?

Why random?
Isn't there a responsibility to provide adequate health care? Opportunity to do targeted prevention?

*Copy
7/10/95
slab*

Department of Justice
National Plan on HIV/AIDS

Area: Prevention/DEA

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
Educate Drug Enforcement Agency employees regarding HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training	1) Provide one-time general training to employees at DEA headquarters and 20 employees from the field responsible for field office training; 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1) \$20,000 - \$30,000; 2&3) Previously done by Public Health Service; \$100,000	1) None 2&3) Future training to be done by a <u>different service</u> ; \$20,000 for travel and associated costs. → what exactly?	DEA employees	N/A	None

**Department of Justice
National Plan on HIV/AIDS**

Area: Prevention/FBI

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate FBI employees re HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training.	1) (a) Provide one-time general training to employees at FBI headquarters; 1) (b) Provide separate training for law enforcement officers; 1) (c) Provide training for evidence response teams. 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	Funding? Part of general training?		FBI employees	N/A	Additional field office training.

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/INS

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Immigration and Naturalization Service employees regarding HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training	1) Provide one-time general training to INS employees; 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1&2) \$140,000	1&2) Future training will be accomplished via contract trainers on an as needed basis.	INS employees	N/A	None

*Modeling the
of HIV/AIDS
personnel
transmission*

**Department of Justice
National Plan on HIV/AIDS**

Area: Prevention/JMD/Department of Justice
Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
Educate Justice Management Division employees about HIV/AIDS and thereby reduce the risk of employee infections. Provide technical assistance to other DOJ components to assist them in meeting their training responsibilities.	Provide training and technical assistance.	1) Provide one-time general training for all JMD employees; 2) Provide "train the trainer" training courses to assist components in training; 3) Organize and coordinate Justice Department activities for World AIDS day.	1) \$1,875 2) \$2,250 JMD also absorbed the costs of producing the DOJ AIDS Awareness video, copying and disseminating several AIDS resource booklets and the Attorney General's letter at a cost of approx. \$67,200. 3) \$2,620	1) None 2) None 3) To be determined	Justice Department Employees	N/A	None

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/U.S. Marshals Service

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate U.S. Marshals Service employees about HIV/AIDS in order to minimize the risk of employee infection.	Provide annual training to all employees, including information on transmission and discussion of workplace policy issues.	1) General training for employees with additional printed materials for supervisory personnel. Field personnel are to receive video training. 2) Provide annual bloodborne pathogen training via video to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1) \$600-\$700 excluding duplication costs. 2) None 3) None	1) None 2) None 3) None	All U.S. Marshal Service employees	N/A	Training for field offices.

Surveillance

Department of Justice
National Plan on HIV/AIDS

*how relevant
amongst parolees?*

Area: Research/Bureau of Justice Statistics

Goal: To estimate the prevalence of HIV/AIDS among the corrections and parole population and to monitor the HIV/AIDS-related policies of the detention and parole systems.

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
Data collection and publication of periodic reports. on status of HIV infected prisoners? #s of prisoners? accounting of policies?	Conduct surveys of federal, state and local <u>prisons and inmates</u>; publish results in periodic reports.	1) National prison statistics contain responses to HIV-related questions. Collected in 1995 and to be collected in 1996. 2) Census of prison and jails collects information on HIV/AIDS. Collected in 1995. 3) Survey of jail and prison inmates and probationers collects HIV/AIDS related information. Inmate and probationer information collected in 1995; prison information to be collected in 1996. 4) Participation in a study examining research on prevention programs aimed at persons whose behavior makes them vulnerable to HIV infection.	Cost of collection of AIDS-related information is not segregable.	Cost of collection of AIDS-related information is not segregable.	Dept. of Justice; Corrections Administrators; public domain? Dept. of Justice, Prob. & Parole involved in survey not being done inmates!?	N/A	Funding for research into special segregation of inmates, treatment, extent of risk and contact while under supervision.

*Relationship
between
National Institute
of Justice +
Bureau of
Justice
Statistics?*

**Department of Justice
National Plan on HIV/AIDS**

Area: Research/National Institute of Justice

Goal: To estimate the prevalence of HIV/AIDS among the corrections and parole population and to monitor the HIV/AIDS-related policies of the detention and parole systems.

Objective	Action Steps	Programs				Population Served	Constituency Involvement	Unmet needs
		Descriptions	Resources					
			FY 1995	FY 1996 (proposed)				
{ Data collection and publication of periodic reports. More specifically...? The data collected are...?	Conduct surveys of federal, state and local prisons and inmates; publish results in periodic reports.	1) Survey of HIV/AIDS in Correctional Facilities; Publication of survey findings in both the adult and <u>juvenile</u> correctional facilities; 2) Publication of reports describing findings of multi-year project, "HIV Education in Lockups and Booking Facilities;" 3) 1996 Survey of HIV/AIDS in Correctional Facilities; 4) Participation in a study examining research on prevention programs aimed at persons whose behavior makes them vulnerable to HIV infection.	1) Approximately \$10,000 for report publication and dissemination. 2) None, funding was expended in previous years. 3) None 4) None	1) None 2) None 3) Approx. fifty thousand 4) Approximately \$150,000 over 30 months	Dept. of Justice; Corrections Administrators; public domain	N/A	Funding to conduct surveys of individual facilities and increase surveys of the juvenile system. and to do additional work in the areas of prevention and education.	

*Department of Justice
National Plan on HIV/AIDS*

Area: Services/Office of Victims of Crime

Goal: To provide education and training to law enforcement and social services agencies.

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
To improve the trainees' interaction with the populations they serve, especially those who might have been exposed to the HIV virus or those who may be HIV positive.	Provide grants and operate cooperative agreements	(1) Provide funds to the National Victims Center under a cooperative agreement. NVC provides education, and sensitivity training to law enforcement personnel and social service agencies. (2) Provide grant funds to the Educational Development Center for training regarding hate/bias crimes. EDC trains law enforcement and social service agency personnel regarding procedures for identifying and handling hate crimes (including such crimes against those who are HIV positive or living with AIDS).	(1) \$58,900 (2) \$75,000	Funding priorities for next year have not been determined.	Law enforcement and social service agencies are directly served; crime victims who interact with these agencies indirectly benefit.	N/A	Additional resources to provide more regional training.



U.S. Department of Justice

Office of Policy Development

Washington, D.C. 20530

July 5, 1995

MEMORANDUM

TO: Jane Sanvill
NIH Agency Representative
White House Office of AIDS Policy

FROM: Eleanor D. Acheson *EDA*
Assistant Attorney General
Lisalyn R. Jacobs *LRJ*
Counsel

SUBJECT: Department of Justice Submission for the National Plan on
HIV/AIDS

Accompanying this memo, please find descriptions of the litigation, programs, services, education and research currently in progress at the Justice Department concerning the issues of HIV and AIDS. Where appropriate, future endeavors have also been described.

As we have advised you, we will be providing additional information regarding the activities of the Civil Rights Division, the Federal Bureau of Investigation and the Immigration and Naturalization Service later this week.

Please contact Lisa Jacobs at (202) 514-3824 if you require additional information, or have any questions regarding the foregoing.

*Department of Justice
National Plan on HIV/AIDS*

Area: Civil Rights

Goal: Enforce Civil Rights Laws/Heighten Issue Awareness

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Prevent discrimination on the basis of real or perceived HIV status.	Enforce Civil Rights Laws; inform and educate the public.	1) Litigate HIV-related civil rights cases involving housing discrimination and discrimination in the provision of services. 2) Provide information via the ADA hotline; provide technical assistance to state and local governments, federal agencies and other entities having rights and responsibilities under Titles II and III of the Americans with Disabilities Act ("ADA"). 3) Developed and disseminated information about the ADA and its applicability to persons with HIV and AIDS to 500 agencies providing services for this population.	1) It's not possible to isolate the HIV-related information. 2)The cost of operating and staffing the hotline is approximately \$325-\$375 thousand.	1) See FY 1995. 2) See FY 1995.	Victims of HIV/AIDS discrimination. Federal, state and local agencies. Businesses, general populace.		Funds for attorneys for additional litigation. Public education and technical assistance for healthcare and daycare providers about their ADA obligations to persons with HIV.

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/Bureau of Prisons

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Bureau of Prisons staff, as well as prisoners regarding HIV/AIDS and thereby reduce the risk of infection/transmission.	Provide annual training and limited testing.	1) Provide annual HIV information update and infectious disease training to all BOP staff. 2) Produce two inmate/staff HIV educational videos. 3) Participate at least quarterly with HRSA in audio conferences on HIV issues. 4) Conduct random HIV testing on inmates upon admission.	1) None 2) None 3) None 4) \$500,000	1) None 2) None 3) None 4) \$500,000	Staff and inmates		Funding for testing of all inmates (currently approx. 10% are tested).

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/DEA

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs				Unmet needs	
		Descriptions	Resources		Population Served		Constituency Involvement
			FY 1995	FY 1996 (proposed)			
Educate Drug Enforcement Agency employees regarding HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training	1) Provide one-time general training to employees at DEA headquarters and 20 employees from the field responsible for field office training; 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1) \$20,000 - \$30,000; 2&3) Previously done by Public Health Service; \$100,000	1) None 2&3) Future training to be done by a different service; \$20,000 for travel and associated costs.	DEA employees	N/A	None

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/FBI

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate FBI employees re HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training.	1) (a) Provide one-time general training to employees at FBI headquarters; 1) (b) Provide separate training for law enforcement officers; 1) (c) Provide training for evidence response teams. 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.			FBI employees	N/A	Additional field office training.

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/INS

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Immigration and Naturalization Service employees regarding HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training	1) Provide one-time general training to INS employees; 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1&2) \$140,000	1&2) Future training will be accomplished via contract trainers on an as needed basis.	INS employees	N/A	None

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/JMD/Department of Justice
Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Justice Management Division employees about HIV/AIDS and thereby reduce the risk of employee infections. Provide technical assistance to other DOJ components to assist them in meeting their training responsibilities.	Provide training and technical assistance.	1) Provide one-time general training for all JMD employees; 2) Provide "train the trainer" training courses to assist components in training; 3) Organize and coordinate Justice Department activities for World AIDS day.	1) \$1,875 2) \$2,250 JMD also absorbed the costs of producing the DOJ AIDS Awareness video, copying and disseminating several AIDS resource booklets and the Attorney General's letter at a cost of approx. \$67,200. 3) \$2,620	1) None 2) None 3) To be determined	Justice Department Employees	N/A	None

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/U.S. Marshals Service

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate U.S. Marshals Service employees about HIV/AIDS in order to minimize the risk of employee infection.	Provide annual training to all employees, including information on transmission and discussion of workplace policy issues.	1) General training for employees with additional printed materials for supervisory personnel. Field personnel are to receive video training. 2) Provide annual bloodborne pathogen training via video to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	1) \$600-\$700 excluding duplication costs. 2) None 3) None	1) None 2) None 3) None	All U.S. Marshal Service employees	N/A	Training for field offices.

*Department of Justice
National Plan on HIV/AIDS*

Area: Research/Bureau of Justice Statistics

Goal: To estimate the prevalence of HIV/AIDS among the corrections and parole population and to monitor the HIV/AIDS-related policies of the detention and parole systems.

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Data collection and publication of periodic reports.	Conduct surveys of federal, state and local prisons and inmates; publish results in periodic reports.	1) National prison statistics contain responses to HIV-related questions. Collected in 1995 and to be collected in 1996. 2) Census of prison and jails collects information on HIV/AIDS. Collected in 1995. 3) Survey of jail and prison inmates and probationers collects HIV/AIDS related information. Inmate and probationer information collected in 1995; prison information to be collected in 1996. 4) Participation in a study examining research on prevention programs aimed at persons whose behavior makes them vulnerable to HIV infection.	Cost of collection of AIDS-related information is not segregable.	Cost of collection of AIDS-related information is not segregable.	Dept. of Justice; Corrections Administrators; public domain	N/A	Funding for research into special segregation of inmates, treatment, extent of risk and contact while under supervision.

*Department of Justice
National Plan on HIV/AIDS*

Area: Research/National Institute of Justice

Goal: To estimate the prevalence of HIV/AIDS among the corrections and parole population and to monitor the HIV/AIDS-related policies of the detention and parole systems.

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Data collection and publication of periodic reports.	Conduct surveys of federal, state and local prisons and inmates; publish results in periodic reports.	1) Survey of HIV/AIDS in Correctional Facilities; Publication of survey findings in both the adult and juvenile correctional facilities; 2) Publication of reports describing findings of multi-year project, "HIV Education in Lockups and Booking Facilities;" 3) 1996 Survey of HIV/AIDS in Correctional Facilities; 4) Participation in a study examining research on prevention programs aimed at persons whose behavior makes them vulnerable to HIV infection.	1)Approximately \$10,000 for report publication and dissemination. 2) None, funding was expended in previous years. 3) None 4) None	1) None 2) None 3) Approx. fifty thousand 4) Approximately \$150,000 over 30 months	Dept. of Justice; Corrections Administrators; public domain	N/A	Funding to conduct surveys of individual facilities and increase surveys of the juvenile system. and to do additional work in the areas of prevention and education.

*Department of Justice
National Plan on HIV/AIDS*

Area: Services/Office of Victims of Crime

Goal: To provide education and training to law enforcement and social services agencies.

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
To improve the trainees' interaction with the populations they serve, especially those who might have been exposed to the HIV virus or those who may be HIV positive.	Provide grants and operate cooperative agreements	(1) Provide funds to the National Victims Center under a cooperative agreement. NVC provides education, and sensitivity training to law enforcement personnel and social service agencies. (2) Provide grant funds to the Educational Development Center for training regarding hate/bias crimes. EDC trains law enforcement and social service agency personnel regarding procedures for identifying and handling hate crimes (including such crimes against those who are HIV positive or living with AIDS).	(1) \$58,900 (2) \$75,000	Funding priorities for next year have not been determined.	Law enforcement and social service agencies are directly served; crime victims who interact with these agencies indirectly benefit.	N/A	Additional resources to provide more regional training.



U.S. Department of Justice

Office of Policy Development

Washington, D.C. 20530

July 19, 1995

MEMORANDUM

TO: Jane Sanvill
NIH Agency Representative
White House Office of AIDS Policy

FROM: Lisalyn R. Jacobs
Counsel

A handwritten signature in dark ink, appearing to be "LJ" or "Lisalyn", written over the printed name.

SUBJECT: Remainder of Department of Justice Submission for the
National Plan on HIV/AIDS

Per our discussion of July 17, 1995, please find revised descriptions of the enforcement, programs and services currently underway at the following Justice Department agencies concerning the issues of HIV and AIDS: the Civil Rights Division, the Federal Bureau of Investigation and the Immigration and Naturalization Service.

Please contact me at (202) 514-3824 if you require additional information, or have any questions regarding the foregoing.

cc: Eleanor D. Acheson
Assistant Attorney General
Office of Policy Development

*Department of Justice
National Plan on HIV/AIDS*

Area: Prevention/FBI

Goal: Reduce the risk of employee infection

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate FBI employees re HIV/AIDS and thereby reduce the risk of employee infections.	Provide annual training.	1) (a) Provide one-time general training to employees at FBI headquarters; 1) (b) Provide separate training for law enforcement officers; 1) (c) Provide training for evidence response teams. 2) Provide annual bloodborne pathogen training to all personnel as mandated by OSHA (discussion of HIV/AIDS is included in this training); 3) Provide an annual update on the bloodborne pathogens training as necessary to discuss new information or changes in the use of safety equipment, etc. Supplement update with periodic memos on use of personal health equipment.	(1) - (3) \$6,400	(1) - (3) \$7,200	FBI employees	N/A	Additional field office training.

*Department of Justice
National Plan on HIV/AIDS*

Area: Civil Rights

Goal: Enforce Civil Rights Laws/Heighten Issue Awareness

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Prevent discrimination on the basis of real or perceived HIV status.	Enforce Civil Rights Laws; inform and educate the public.	1) Litigate HIV-related civil rights cases involving housing discrimination and discrimination in the provision of services. 2) Provide information via the ADA hotline; provide technical assistance to state and local governments, businesses and other entities having rights and responsibilities under Titles II and III of the Americans with Disabilities Act ("ADA").	1) It's not possible to isolate the HIV-related information. 2)The cost of operating and staffing the hotline is approximately \$325-\$375 thousand.	1) See FY 1995. 2) See FY 1995.	Victims of HIV/AIDS discrimination and their families. Federal, state and local agencies. Service providers and medical providers. Businesses, general populace.	N/A	Funds for attorneys for additional litigation. Public education and technical assistance for healthcare and daycare providers about their ADA obligations to persons with HIV.

*Department of Justice
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Area: Prevention/INS

Goal: Reduce the risk of employee infection, and avoid possible worksite performance problems caused by fear and intolerance

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate Immigration and Naturalization Service employees regarding HIV/AIDS, and thereby reduce both the risk of employee infections and the fears often associated with the disease.	Provide training	Provide AIDS Awareness/Policy training to all employees in FY 1995. Provide annual follow-up as needed thereafter.	\$140,000	Future training will be accomplished via contract trainers on an as needed basis.	INS employees	N/A	None

*Department of Justice
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Area: Prevention and Services/INS

Goal: Reduce the risk of infection to at risk detainees

Objective	Action Steps	Programs					Unmet needs
		Descriptions	Resources		Population Served	Constituency Involvement	
			FY 1995	FY 1996 (proposed)			
Educate detainees believed to be at risk regarding HIV/AIDS and thereby reduce the risk of infections/transmission.	Provide limited testing and counseling.	1) Test detainees suspected of or diagnosed with HIV/AIDS or test upon detainee request. 2) Provide pre- and post-test counseling to detainees deemed at risk.	1&2) The information is not isolable from the remainder of the Health Services Division budget.	1&2) See FY 1995.	Detainees	N/A	None