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Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: National AIDS Policy Office

Series/Staff Member: Todd Summers

Subseries:

OA/ID Number: 21080

FolderID:

Folder Title:

Issues - Needle Exchange - Helms Amendment - SAMHSA [Substance Abuse and Mental Health Services Administration])

Stack:

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Row:

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Section:

6

Shelf:

3

Position:

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May 16, 1990

CONGRESSIONAL RECORD — SENATE

S 6289

It is additional protection before treatment for those who want to be free from drugs, and there is no expansion of use.

Finally, I think probably the most relevant part of the Secretary's letter is in the last paragraph.

These programs represent a significant public health contribution in protecting the sexual contacts of drug users and their children from the risk of HIV infection by using bleach to break the chain of infection, and helping them to get into treatment.

We have talked, during this debate, about the tragedy that exists in our country in so many communities that so many of the babies being born now in many of our urban areas are HIV positive. Here we have Secretary Mason, as well as the other public health officials, saying one of the ways to protect those babies from having it is through this continued use of bleach for those individuals who want to gain treatment.

Mr. President, I feel both because of the public health justification for this program and the fact that we are not funding it with this money, but it is being funded by the States, we should not say to the States, when we have this sound public health evidence, that they are going to be eliminated from any eligibility. We should not prevent them from developing more comprehensive programs that can reach out to rural areas of this country, to the teenage population where this scourge is growing, and to the pediatric AIDS victims.

It just seems to me to make no sense.

I hope that, at an appropriate time, Mr. President, under the agreement, we will vote in favor of the proposal of the Senator from Utah and myself and vote down the amendment of the Senator from North Carolina.

Mr. GORTON. Will the Senator from Massachusetts yield 5 minutes?

Mr. KENNEDY. How much time do I have?

The PRESIDING OFFICER (Mr. SIMON). The Senator from Massachusetts controls 2 minutes, 40 seconds.

Mr. KENNEDY. I yield the remaining time to the Senator.

The PRESIDING OFFICER. The Senator from Washington is recognized for 2 minutes and 40 seconds.

Mr. GORTON. Mr. President, the distinguished Senator from Massachusetts knows that we do not always agree on matters coming before the Senate, but I wish to commend him for both his clarity and logic in connection with this amendment, as well as that of the distinguished Senator from Utah. The sponsor of the amendment, of course, has designed this amendment to discourage drug use by restricting the availability of needles and bleach to those who are drug addicts. The impact of his amendment, however, would, I believe, be exactly the opposite; that it would increase both drug use and diseases, most particularly AIDS. As a consequence, I

firmly believe that this amendment should be rejected and the amendment of the distinguished Senators from Massachusetts and Utah be accepted.

I spoke at length, Mr. President, over the Christmas recess, to Dr. Robert Wood, of Seattle, on this subject, a major investigator of an outreach program which does distribute bleach and a man who is also the director of AIDS control for King County, WA. He has persuaded me that that program dramatically helps both to control the spread of AIDS and reduce drug use. Research has shown in five cities that between 15 and 50 percent of those who enter a bleach program have stopped IV drug use by the time of a follow-up interview 6 to 12 months later and that others have at least reduced that drug use.

Mr. President, that is dramatic success in connection with intravenous drug use. Very few programs will show a greater degree of success.

The rejection of this amendment and the adoption of the amendment by the distinguished Senators from Massachusetts and Utah will be important in our attempt to control and to limit drug use. I agree with them completely. This amendment should be defeated and their amendment should be adopted.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. As I understand it, Mr. President, all of the time that is under my control has expired; am I correct?

The PRESIDING OFFICER. The Senator has 15 seconds left.

Mr. KENNEDY. I yield back my time.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I find a certain degree of novelty about the arguments against the amendment because all three of the Senators who have spoken against it voted for it last November. My suggestion is let us approve both amendments.

In talking about the bleach program, the point is, it is a flop, as I alluded in my earlier comments. New York City has such a program; it does not work. The police commissioner, Benjamin Ward, condemns it. The chief prosecutor of the New York special narcotics division, calls it ridiculous. Again how does one expect addicts who do not clean themselves to clean needles that they use? No, what we are doing, if this amendment is defeated, we are sending a message, go ahead and use drugs, but, just like safe sex, have safe drug abuse. I hope the Senate will not take that position.

This past November, the Senate took the opposite position; it supported my amendment unanimously—I think it was 99 to nothing. So what are we doing here? Are we going to have all sorts of rhetorical exercises that I

have to believe that no Senator believes in?

We are going to have back-to-back rollcall votes, first on mine and then on the amendment of the distinguished Senator from Massachusetts. My recommendation to Senators is vote for both of them. The yeas and nays have been ordered on mine. Have they been ordered on Senator KENNEDY's?

The PRESIDING OFFICER. The yeas and nays have not been ordered on Senator KENNEDY's amendment.

Mr. HELMS. I ask for the yeas and nays on Senator KENNEDY's amendment.

The PRESIDING OFFICER. The Chair will advise the Senator from North Carolina they have not been ordered on his amendment yet.

Mr. HELMS. The Chair is correct. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered. The PRESIDING OFFICER. The Senator from North Carolina has 1 minute remaining.

Mr. HELMS. I reserve that time unless the Senator from Massachusetts wishes to yield back his time.

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

Mr. HELMS. I yield back my time.

The PRESIDING OFFICER. All time has expired.

AMENDMENT NO. 1626

(Purpose: To prohibit the use of funds for needle distribution programs)

Mr. KENNEDY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 1626.

At the appropriate place insert the following:

SEC. . PROHIBITION ON USE OF FUNDS.

None of the funds made available under this Act, or an amendment made by this Act, shall be used to provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs.

Mr. KENNEDY. Mr. President, I yield myself such time as I might use.

Mr. President, I want the Senate to understand that the Helms amendment that was passed overwhelmingly last year applied to the ADAMHA Block Grant Program. That is different from the Helms amendment that is being offered here today. His amendment last fall applied to needles and bleach under the ADAMHA Program. I read the provisions of the amendment in the act: "A State may not use amounts under this subpart pursuant to this subsection." That is the ADAMHA Block Grant Program.

What his amendment effectively is saying today is you will not be eligible