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MEMORANDUM

TO: Todd Summers

FR: Jenny Collier McColl

RE: Needle exchange language

Date: October 20, 1997

Thanks for agreeing to look at our recommendations for compromise language about drug treatment that could be added to the current legal standard for appropriating federal funds to needle exchange programs. Just to be clear, we recommend that this language be added to current standard **only in the event that compromise language about drug treatment is necessary in order to maintain the Secretary's authority over federal funds for needle exchange.**

A. First choice language:

The current legal standard for the appropriation of federal funds for needle exchange states:

Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

We would suggest adding to the current standard: *Further, needle exchange programs must make available education about drug treatment.*

Rationale for this language:

This language is not legally defined anywhere, so it does not create a legal burden for needle exchange programs to do more than provide clients with the knowledge that drug treatment exists and contact information for local drug treatment programs. This is a standard that virtually all programs could meet.

B. Second choice language:

We would suggest adding to the current standard: *Further, needle exchange programs will provide referrals to drug treatment services.*

Rationale for this language:

This language would work for needle exchange programs as long as programs were only required to direct individuals to treatment and give them contact information for local drug treatment programs.

This language would be unacceptable, however, if it were defined to mean that needle exchange programs would be required to track individual clients and ensure that these clients entered treatment. Under this interpretation, programs would be dedicating resources to tracking clients that are difficult to track instead of effectively using the funds for needle exchange. It also would put pressure on the drug treatment system to have available slots for needle exchange clients. In most areas of the country drug treatment is chronically under-funded, creating waiting lists for treatment as long as six months in some cities. Any language that puts more pressure on this under-funded treatment system is unsupportable.

Please feel free to give me a call if you have any questions or concerns. My number is (202) 544-5478. If I am unavailable, please feel free to call Katie O'Neill at Legal Action Center's New York office. Her number is (212) 243-1313. Thanks again for your time and consideration.

S M Y A L

Sexual Minority Youth Assistance League

October 11, 1997

Todd Summers
Deputy Director
White House Office of National AIDS Policy
808 17th Street, NW
Suite 820
Washington, DC 20006

Dear Todd:

On behalf of our Board, staff, volunteers, and most importantly, our youth, thank you for giving them the unique opportunity to meet with Kate Shindle, Miss America 1998.

As you know, sexual minority youth are often excluded or silenced in public discussions about HIV and AIDS. Kate's visit not only gave these teenagers a chance to listen and learn, but it also gave them a chance to be heard. Her public acceptance of young people who are often forgotten and rendered invisible is an important first step in helping these youth grow into healthy and happy adults.

Thank you again for all of your hard work in making this event such a positive experience for everyone here at SMYAL. If we can be of help to you in any way in the future, please don't hesitate to get in touch.

Sincerely,



Craig A. Bowman
Executive Director

You're the greatest!

