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April 7, 1998

PRESIDENTIAL
ADVISORY
COUNCIL ON
HIV/AIDS

**MEMORANDUM FOR PRESIDENTIAL ADVISORY COUNCIL ON
HIV/AIDS MEMBERS**

FROM: R. Scott Hitt, Chair
RE: Needle Exchange Draft Resolution

On Tuesday morning (April 7) the Process Subcommittee met by conference call with the following members participating: Scott Hitt, Regina Aragon, Nick Bollman, Joseph Edelheit, Tom Henderson, Jeremy Landau, Helen Miramontes, Alexander Robinson and Ben Schatz.

The Subcommittee discussed the latest developments regarding the issue of needle exchange and unanimously recommends favorable consideration on Thursday by the full Council of the draft resolution accompanying this message. Consideration of this resolution and a possible vote on its adoption will be the focus of our Thursday conference call.

DRAFT
(As of April 7, 1998)

WHEREAS, on December 6, 1995, at the White House Conference on HIV/AIDS, the President of the United States set the national goal of (reducing) the number of new (HIV) infections each and every year until there are no new infections," and

WHEREAS, injection drug use annually accounts directly for up to half of all new HIV infections in this country, and

WHEREAS, injection drug use also plays a major role in sexual partner and perinatal transmission of HIV, and

WHEREAS, a preponderance of scientific evidence concludes that needle exchange programs, as part of comprehensive HIV prevention strategies, reduce new HIV infections without encouraging illegal drug use, and

WHEREAS, Secretary of Health and Human Services Donna Shalala has the authority to certify that needle exchange programs meet the obligatory tests prescribed by law and to develop standards for the use of federal funds to support needle exchange programs in cities and states that choose to implement such programs, and

WHEREAS, Secretary Shalala has refused to issues such certification and to lift the current federal funding prohibition of needle exchange programs, and

WHEREAS, by failing to act the Secretary is seriously impeding successful implementation of the President's stated goal of reducing the number of new HIV infections until there are none, and

WHEREAS, by failing to act the Secretary is directly contributing to increased preventable HIV, Hepatitis B and Hepatitis C infections with the associated increase in human suffering and economic costs, thereby abdicating her responsibility as the nation's chief public health officer, and

WHEREAS, the populations hurt most by the Administration's continued inaction are largely poor African-Americans and Latinos, a particularly distressing fact in light of the stated goal of the President's Initiative on Race of ending health disparities among racial and ethnic groups, and

WHEREAS, despite repeated assurances that she was "following the science," the Secretary continues to ignore the overwhelming scientific evidence presented by government researchers - including the U.S. General Accounting Office, National Academy of Sciences, National Commission on AIDS, consensus conference of the National Institutes of Health, Congressional Office of Technology Assessment and University of California at San Francisco in a study for the U.S. Centers for Disease Control and Prevention - about the efficacy of these programs, and

WHEREAS, numerous organizations - including the American Medical Association, American Bar Association, American Public Health Association, Association of State and Territorial Health Officials, National Academy of Sciences, National Black Caucus of State Legislators, Congressional Hispanic and Black Caucuses, U.S. Conference of Mayors, National Alliance of State and Territorial AIDS Directors, and the National Association of People with AIDS - have voiced their public support for the use of needle exchange programs, and

WHEREAS, the pattern of inaction, misrepresentation, and broken promises on this subject by the Department of Health and Human Services has seriously eroded the Secretary's and the Administration's credibility on all AIDS prevention and related public health matters,

THEREFORE, BE IT RESOLVED THAT the Presidential Advisory Council on HIV/AIDS urges the President to direct the Secretary of Health and Human Services to immediately certify the efficacy of needle exchange programs in preventing HIV infection while not encouraging illegal drug use; to take such other and further steps as are necessary to accomplish his stated HIV/AIDS prevention goal; and if she fails to expeditiously take such action, to request her immediate resignation.

Process CC

11/21/97

Introductory II

Grand concern progress has stalled

MI: Research - some concern about vaccine, but OAR, vaccine announcement
Services - problems, but not Admin's (Medicaid expansion is problem)
Prevention - lacking plan

- content restrictions
- needle exchange
- no accounting for use of local prevention #

TH - wants Sandy "to use her access to lay problems in Pres's lap" - thinks PACHA should seek meeting, ~~does not~~ not optimistic most progress came before last report

JC - agrees - we've stalled

SH - concern - not enough time between now + Dec to have substantive movement

TH - cannot to Admin - put off report until March if they get clear specific assurances of progress

MI - No - report should be written - Sandy already gave message to POTUS - should take out tone of exasperation - should be forceful

Process CC

11/17/97

POTUS meeting with PACHA

- want to discuss w/ SLT @ meeting

Open meeting rules

Jerry Res, Prisms

Tan Ser, Disc

Mike Peer, Int'l,

- World AIDS Day - in 11

- PMAC Dinner -

2/12/98 - APLA Dinner

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