

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Presidential Materials Staff.

Record Group/Collection: <i>All Gore Vice Presidential Remarks</i>				
Collection/Office of Origin: <i>Office of the Chief of Staff</i>				
Series:				
Subseries:				
OA/ID Number: <i>963</i>				
Folder ID Number:				
Folder Title: <i>AIDS</i>				
WHORM Category/Subcategory:			WHORM Case Number:	
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Withdrawal/Redaction Sheet

Presidential Materials Division

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. Resume	Resume of candidate (1 page)	n.d.	(b)(6)
002. Email	From Rachael Sullivan (1 page)	09/14/1999	PRM

COLLECTION:

Gore Vice Presidential Records
Office of Chief of Staff and Administration
Rachael Sullivan and Kate Murphy Files
OA/Box Number: 00963

FOLDER TITLE:

AIDS

2006-0003-F

JLO2

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Freedom of Information Act - [5 U.S.C. 552(b)]

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Charles Busson
UN/AIDS

OFFICE OF THE VICE PRESIDENT
WASHINGTON

December 22, 1999

ACTION

MEMORANDUM FOR THE VICE PRESIDENT

FROM: LEON FUERTH *LF*

SUBJECT: Africa's HIV/AIDS Crisis – United Nations Security Council
Discussion

Dick Holbrooke suggests that you address the UN Security Council on January 10 at an "open meeting" on HIV/AIDS and the threat it presents to Africa. I think this is a good opportunity.

Dick's Idea

The US will assume the Presidency of the Security Council in January and establish the agenda for the first meetings of that body in the new millennium. In a speech presented in Pretoria during his recent visit to the continent, Ambassador Holbrooke announced that he would give priority during the US Presidency to African issues. He is planning for at least four open meetings of the Security Council to focus global attention on African problems. While these sessions will turn principally to the ongoing armed conflicts in the region, he is equally enthused to use the forum of the Security Council to highlight the scale and scope of the HIV/AIDS crisis. Ambassador Holbrooke believes that a presentation by you would signal both the importance we place on addressing this issue and assist in gathering global support. You would be the second major speaker, preceded only by Secretary-General Annan.

My Views

I believe there is merit to Dick's idea. This is a significant forum which presents an opportunity to focus attention on a significant humanitarian and security challenge. Further, you could use your speech to note similar emerging security threats – such as other diseases, environmental degradation, and population pressures – and call on the international community to work together to deal with them.

As far as HIV/AIDS goes, we would seek concrete "deliverables" for your remarks. First, the Administration is prepared to increase funding to combat the global pandemic by a \$100 million in FY 01. In addition, we expect a \$50 million USG contribution to the

Global Alliance for Vaccines and Immunizations to support the development and delivery of vaccines to developing countries for HIV/AIDS, TB, malaria, and other health threats. I'm aware that the President desires to make these funding initiatives a major element of his State of the Union Address. You might have to raise the issue of how and when they are announced with him. Second, we might be able present a concept for public and private cooperative programs to address the crisis. As you recall, we have been working on a concept to further public-private partnerships to combat HIV/AIDS in Africa which is focused on the business sector. This second element is key in order to permit you to challenge other donor nations to follow our lead.

The little time remaining prior to the presentation would call for some heavy lifting. The additional funding for HIV/AIDS appears all but inked in on our budget proposal. The details of what could be announced prior to the State of the Union is more problematic. Conceptualizing a public-private partnership is also doable, but the intervening holiday period will make this a more difficult task than normal.

We are prepared to do what we must to make this happen. What I need is your view on whether this is an event you wish to pursue, and, if so, whether you have any personal thoughts on the message you would choose to deliver.

NOTE: Charles, Lisa Berg, and others are aware of this proposal but have not yet formed opinions on how it should stack up against other priorities for your day in New York City. I am sending them copies of this memo.

RECOMMENDATION

That you accept Ambassador Holbrooke's invitation to speak before an open meeting of the UNSC on the subject of HIV/AIDS and Africa on January 10, 2000.

Approve _____ Disapprove _____ Talk with me _____

CC: Charles Burson
Lisa Berg

UN/AIDS

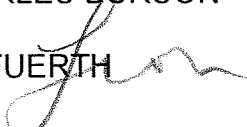


OFFICE OF THE VICE PRESIDENT
WASHINGTON

January 4, 2000

INFORMATION

MEMORANDUM FOR CHARLES BURSON

FROM: LEON FUERTH 
SUBJECT: Proposed HIV/AIDS Business Outreach Initiative

Attached is the memorandum I provided the VP concerning the proposal to host an HIV/AIDS business outreach initiative. As you'll see, our planning looks for the VP's direct participation on three occasions. I foresee that the first two small group meetings would last from 30 -45 minutes each, and take place in his office. The major event would encompass an hour and a half in the Roosevelt Room. I also expect that we would seek a minimum gap of several weeks between his meeting with the small groups and the major event.

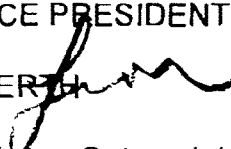
Charles:
Ron Dellums will meet with
Leon tomorrow to jump-start
this initiative.
RS

OFFICE OF THE VICE PRESIDENT
WASHINGTON

November 3, 1999

ACTION

MEMORANDUM FOR THE VICE PRESIDENT

FROM: LEON FUERTH 

SUBJECT: AIDS Business Outreach initiative

As I briefly discussed immediately prior to your last meeting with former Congressman Ron Dellums, we are developing a business outreach initiative to address the AIDS crisis in Africa. The objective is to create a public-private partnership with the U.S. business community to more effectively address the social and development impacts of HIV/AIDS throughout Africa.

We want major U.S. businesses to subscribe to a set of guiding principles for working with their employees and local communities in Africa to help control the spread of HIV/AIDS and help cope with the human, social, and economic consequences of the disease. In addition we want to encourage companies to increase the resources they devote to AIDS and to better coordinate private and public efforts.

Our plan involves you at three critical points in the initiative's development. First, we would like you to meet with a small group of influential leaders (e.g.: Ron Dellums, Andrew Young, and C. Payne Lucas), who will help flesh out the intellectual framework of the guiding principles. Then, you would meet with four or five CEOs of companies already addressing the issue of AIDS in their workforces to create a nucleus for the larger business outreach effort. Finally, you would chair a larger meeting of American businessmen, senior Administration officials, and other influential individuals to launch the initiative. In this final meeting, in addition to sharing best practices among the participants, you would challenge business leaders to sign on to a set of guiding principles and to accept greater social responsibility for dealing with AIDS within their workforces and surrounding communities.

We are working with Lisa Berg to find time on your calendar for the first two meetings before the end of the year. The third meeting, and the actual public launch of the initiative, would be in March or April, depending on your calendar.

To make this initiative work up to its full potential, we will have to address how the international AIDS crisis is managed within our own government. I fear that

DEC 12 1999

Jim

LSF - Table
to me about
this please.
I like it.
- AG

responsibility and programs are too widely spread among agencies. I will work with Sandy Berger on rationalizing our policy process in this area. Also, we have to work carefully through how to best coordinate the public-private partnership. Clearly, the government cannot solicit or accept private resources. Instead, we have to find ways to ensure the two sides can work effectively in tandem.

Note also that it is possible that members of the pharmaceutical industry could use your big meeting next spring to announce a major industry initiative to address the AIDS crisis. Ron Dellums, among others, has told us that the industry is seeking to improve its global image through such an initiative.

I will update you on our progress.

PHILIP G. DUFOUR

F.Y.I.

RON KLAIR

AIDS ACTION

SUMMER 1997

AIDS

MEDICAID APPLICATION

FOR ACCESS TO HEALTH CARE AND NEW THERAPIES

NAME John Q. Public

ADDRESS 1234 Main Street
Tampa, FL 33601

PHONE (123) 456-7890

INCOME LEVEL \$50/month

EMPLOYMENT Unemployed

DISABILITY* HIV-Positive
CD4 count 400

*To qualify for Medicaid, individuals living with HIV disease must meet the Social Security Administration's definition of disability: full-blown AIDS.

INSIDE ► Medicaid: Turning cuts into expansion

FEBRUARY 28, 1996

MEMORANDUM FOR THE VICE PRESIDENT

FROM: GREG SIMON
TOBY DONENFELD

SUBJECT: AIDS RESEARCH MEETING

SUMMARY

At the President's request, you held a meeting on February 20, 1996 with pharmaceutical company CEOs and officials from the FDA and NIH to identify ways to accelerate the development of AIDS vaccines, therapeutics, and microbicides.

At your weekly meeting with the President you will have an opportunity to brief the President on your meeting, discuss the outcomes of that meeting and the planned next steps.

DESCRIPTION

At the conclusion of the two-hour meeting, the following steps were announced:

- The Administration will join with pharmaceutical manufacturers, health insurance companies and other third-party payers, and patient advocacy organizations to develop a collaborative system of clinical trials of AIDS drugs that have been approved by the FDA under expedited procedures to determine the best uses and the long-term effectiveness of those drugs.
- The Administration will work with international organizations -- such as the World Bank -- to increase investment in AIDS vaccine development and trials worldwide.
- The Administration will help facilitate the development of microbicides to enable women to protect themselves from HIV infection.
- The Vice President will facilitate ongoing discussions between the government and the pharmaceutical industry to identify promising areas of AIDS research that the government can support in order to stimulate private sector investment in the next generation of AIDS vaccines, therapeutics, and microbicides.
- The Food and Drug Administration will pursue additional measures to increase the number of anti-HIV therapeutics with pediatric indications.

Following up on this meeting:

1. **Outreach**
Skila Harris will be getting in touch with those in the AIDS community who were not in the meeting but should remain involved.
2. **Follow-up on 4-part post-FDA clinical effectiveness trials.**
 - An Administration person must be named to head this effort, a possible candidate is Assistant Secretary at HHS Phil Lee.
 - The White House Office of AIDS Policy will meet with 3rd party payers and patient advocates.
3. **Progress on Microbicides**
We will request from Dr. Paul and Dr. Fauci at NIH, a list of actions they plan to take to push for more development in microbicides.
4. **International Issues**
We are planning a late April meeting to discuss the Rockefeller model for developing vaccines, World Bank investment and the use of clinical trial sites.
5. **Reinvent grant rules at NIH**
Dr. Fauci at NIH will work with Elaine Kamarck to make the grant rules less cumbersome and more easily understood.
6. **A "threshold meeting" to discuss the state of science.**
We are planning a meeting with Dr. Varmus, head of the NIH, to discuss the state of science and other issues.
7. **Determining gaps in our scientific effort and how to fill them.**
Bill Paul, the Director of Aids Research at NIH and members of the Levine Committee, who are completing a comprehensive external review of the NIH's research efforts, will brief you on this issue.
8. **Improving the development of pediatric drugs**
Dr. Kessler will head this effort.

THE WHITE HOUSE
WASHINGTON
November 8, 1995

VP
file
95 NOV 9 11:55

MEMORANDUM FOR THE PRESIDENT

FROM: Carol Rasco^{CJR} and Patsy Fleming^{PF}
SUBJECT: Plans for the White House Conference on AIDS

This memo is to update you on the progress of plans for the December 6th White House Conference on AIDS.

The goal of the conference remains to communicate to the American people the continued urgency of the epidemic and the Administration's commitment to addressing it. The conference will be particularly timely given that the Centers for Disease Control is announcing this week that the total number of cases in the United States has passed the 500,000 mark, with deaths totalling more than 300,000.

We are working with two foundations that have offered to co-sponsor the event. This will permit us to provide assistance to attendees for travel and hotels, as well as to provide lunch and a reception during the Conference.

Invitations: Response within the AIDS community to the announcement of the conference has been extremely positive. More than 1100 individuals have been recommended as attendees. We have completed the process of reducing that number to 200 individuals, in addition to the 30 members of the Presidential HIV/AIDS Advisory Council. (Many of the attendees have been recommended by Advisory Council members.) Invitations are going out on Wednesday, November 8th.

Outreach: Because so many people have expressed interest in the conference, we have developed several mechanisms that will permit broader participation and inclusion since the number of attendees the conference can accommodate is limited. A mailing to over 3,500 organizations has gone out asking for ideas on what the American people ought to know about the epidemic. An electronic appeal on various computer networks has also been sent. We are in the process of setting up a home-page for the conference on the World Wide Web to increase distribution of information about the conference and expand opportunities for input. Finally, we are working on setting up satellite coverage of the conference plenary, working with local supporters in several cities to host events that will permit broad viewing of the event.

Structure of the Conference: The one-day meeting will begin with working groups covering nine subject areas (e.g., research, prevention, treatment, housing, discrimination, etc.). These working groups will be co-chaired by Advisory Council members. During the plenary session, following your brief opening remarks, representatives from each of the working groups will have an opportunity to discuss their views with you. After the plenary, a reception will be held for attendees and others at the Renwick Gallery. We have worked closely with members of the Advisory Council in developing the structure and agenda for the day.

Creating momentum: In addition to the outreach discussed above, a number of steps are being taken to build momentum for the Conference. Patsy Fleming is doing a series of press interviews to increase interest in the conference. On November 30th, the Department of Health and Human Services will release a new public service announcement campaign targeting young adults with HIV prevention messages. On World AIDS Day (December 1st) a number of Administration officials will participate in public events. This week, the Food and Drug Administration's Anti-Viral Advisory Committee may well recommend approval of two new therapies for treating HIV. One of these is an entirely new class of drugs called protease inhibitors. Final FDA approval could occur just before the Conference. This will lend a feeling of tremendous hope about the research efforts under way. Finally, attendees will receive a draft of the Federal government's plan for combatting AIDS -- an articulation of the goals and objectives of our research, services, and prevention effort.

Maintaining momentum: It will be important to maintain the good feeling we anticipate will result from the Conference -- good feeling about the Administration's commitment to maintaining a visible presence in the fight against AIDS and good feeling about the direction of Administration policy. To that end, in the month or two following the Conference, we anticipate release of the final version of the national plan as well as release of the report to you on the state of the epidemic among adolescents. We also anticipate favorable response to the release of the FY 1997 budget, since certain AIDS programs remain investment priorities.

It will also be critical to keep open the lines of communication that the Conference will have helped to create. Patsy Fleming is developing a series of options for strengthening the Administration's visibility in the local HIV/AIDS communities around the nation. The Office of National AIDS Policy, in conjunction with local health departments and/or community based organizations, may host a series of town meetings on AIDS, perhaps held in conjunction with the national tour of the AIDS memorial quilt. This will attract both AIDS activists as well as those who are less political but whose lives have been deeply touched by the epidemic. These events would involve Patsy Fleming and key Administration officials (e.g., Secretaries Shalala and Cisneros). The town meetings can culminate in a Washington-based event next October, involving you, when the entire quilt will again be on display on the Mall.

Ralph Nader
P.O. Box 19312
Washington, DC 20036

*Orig. ltr to R. Saunders
for response
copy of Nader ltr
only to C. Pearson*

September 10, 1999

Vice President Albert Gore
The White House
Washington, DC 20500

Dear Vice President Gore:

Thank you for Mr. Leon Fuerth's letter of August 20, 1999 regarding the worldwide AIDS crisis. As you know, we have longstanding concerns regarding US policy on trade, intellectual property rights and health care, that we have raised on many occasions. We first wrote about the South Africa dispute on July 29, 1997.

We welcome your recent expression of support for policies that would make pharmaceutical drugs less expensive in South Africa. However, we continue to be dismayed at some of the claims that are used to justify US trade pressures. For example, Mr. Fuerth's August 20, 1999 letter implies that US concerns over the South African government's proposals for parallel imports are driven by questions regarding consistency with "international agreements." A more candid statement would be that parallel imports are permitted under international agreements, such as the WTO TRIPS accord, and that US bilateral pressures are about our trade agenda, rather than international law.¹

We recognize that the WTO does limit the use of compulsory licensing of patents, but as I am sure you know, in cases of public non-commercial use or for national emergencies, the

¹While TRIPS gives patent, trademark and copyright owners many rights, Article 6 permits national governments to use national discretion in determining when those rights are "exhausted." This is true for policies on parallel imports, but also for a number of other national policies. For example, the US can permit the resale or lending of books, under our first sale doctrine, which is one of several areas where the US government exercises national discretion regarding the exhaustion of rights. So too is the US Supreme Court opinion in *Quality King Distributors v. L'Anza International, Inc.* (No. 96-1470), 523 U.S. 135 (1998), concerning parallel imports in the US.

primary country obligation is to provide compensation for the use of a patent. The South African government has always indicated it would comply with this and other provisions of the TRIPS regarding compulsory licensing.

According to Mr. Fuerth's letter and other press reports, it appears as though US trade officials often express concerns that the South African laws may violate some technical obligations of the TRIPS, and these putative technical deficiencies or ambiguities are held out as a rationale for the never ending reviews of the South African Medicines Act. On this score it should be noted that the TRIPS accord is a new agreement with many areas of uncertainty, and no country, including the US, is likely to be in full compliance. For example, the WTO was recently asked by Canada to determine if pharmaceutical patent extensions violation Article 27 of the TRIPS, on the grounds that they discriminate among fields of technology. If the WTO agrees, the US patent extensions would appear to be illegal under the TRIPS. Also, on June 23, 1999 the US Supreme Court ruled that State governments cannot be sued for infringement of patents.² These US Supreme Court decisions deny patent owners legal remedies that are required under Article 31 of the TRIPS, pitting the US constitutional doctrine of sovereign state immunity against the requirements of TRIPS. Thus, I would hope that the Vice President and his staff will not make technical compliance with every one of the 70 Articles of the TRIPS a central focus of US policy here.

There is no reason why the US government needs to appoint itself as a supervisor of South African laws on pharmaceuticals. South Africa's recent struggle to overcome apartheid was based upon the desire to have a political system that represented everyone in South Africa, including the poor. With as many as 20 percent of its young people infected with a potentially fatal disease, it is not surprising that South Africa's democratically elected leaders are searching for ways to make treatments more affordable.

I am enclosing two documents for your review. One is an open letter to you, dated August 1, 1999. This letter was drafted and first circulated in May 1999, shortly after the USTR issued its April 30, 1999 report that put South Africa on the US government's watch list for intellectual property violations. As

²See College Savings Bank V. Florida Prepaid Postsecondary Ed. Expense Bd. (98-149) and Florida Prepaid Postsecondary Ed. Expense Bd. V. College Savings Bank (98-531), (College Savings Bank II). <http://supct.law.cornell.edu/supct/html/98-149.ZS.html> and <http://supct.law.cornell.edu/supct/html/98-531.ZS.html>

noted in the letter, South Africa was not only taken to task for supporting parallel importing and compulsory licensing of pharmaceuticals, it was criticized for permitting its medical personnel to advocate for the poor at meetings of the World Health Organization. This effort to suppress speech at the World Health Organization illustrates how profoundly out of touch US trade officials are in respecting democratic values.

The second document is a September 3, 1999 letter to Dr. Harold Varmus, asking that the National Institutes of Health (NIH) take steps to permit the World Health Organization to use US government rights in government funded medical inventions, to help the poor. As indicated in the letter to Dr. Varmus, it is our opinion that it is immoral for the US federal government to hoard its intellectual property rights in taxpayer funded inventions while millions suffer and die for lack of access to essential medicines.

We are pleased that you believe an agreement between the US and South African governments is close at hand regarding the South Africa Medicines Act. We hope that this agreement does not further restrict the ability of the elected government of South Africa to protect its own people from a terrible public health catastrophe. We further ask that you join us in urging the appropriate Administration officials to find ways to give public health authorities broader access to current and future US taxpayer funded medical inventions.

Lastly, why doesn't the Vice President sign his letters or reply directly, as he does to corporate executives?

Sincerely,

A handwritten signature in black ink, appearing to read 'Ralph Nader', with a stylized, cursive script.

Ralph Nader

Withdrawal/Redaction Marker

Presidential Materials Division

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001. Resume	Resume of candidate (1 page)	n.d.	(b)(6)

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OA/Box Number: 00963

FOLDER TITLE:

AIDS

2006-0003-F

JLO2

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OA/Box Number: 00963

FOLDER TITLE:

AIDS

2006-0003-F

JL02

RESTRICTION CODES

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