



NEW YORK
CITY BAR

Contact: Maria Cilenti - Director of Legislative Affairs - mcilenti@nycbar.org - (212) 382-6655

By Facsimile

June 11, 2012

The Honorable Tom Harkin
Chairman
Subcommittee on Labor, Health & Human Services,
Education & Related Agencies
Appropriations Committee
United States Senate
Dirksen Senate Office Building Room 129
Washington, DC 20510

The Honorable Denny Rehberg
Chairman
Subcommittee on Labor, Health & Human Services,
Education & Related Agencies
Appropriations Committee
Rayburn House Office Building Room 2358
U. S. House of Representatives
Washington, DC 20515

Re: Statement in Support of Ending Federal Funding Ban for Syringe Exchange Programs – FY 2013 Labor/HHS/Education/Related Agencies Appropriations Act

Dear Chairmen Harkin and Rehberg:

The Committee on AIDS and the Committee on Drugs and the Law of the Association of the Bar of the City of New York submit this letter in support of the effort to lift the congressional ban on the use of federal funds for syringe exchange programs (SEPs) from the House Labor, Health and Human Services FY 2013 Appropriations bill.

Since its founding in 1870, the Association of the Bar of the City of New York has grown to over 23,000 members who work to promote the public good and advocate for legal reform when needed. The membership of the Association's Committee on AIDS includes experts with comprehensive knowledge of HIV-related law and policy issues. The Association's Committee on Drugs and the Law includes individuals with expertise in addiction treatment, public health, and the laws and policies related to the use of substances and their impact on society.

The efficacy of SEPs is well established. Studies have shown SEPs effective in reducing HIV infection rates among injection drug users, promoting public health and safety by taking syringes off the streets, and protecting law enforcement personnel from injury.¹ Numerous scientific studies and experiential data from across the globe demonstrate that syringe exchange positively impacts communities, with no evidence of unintended detrimental effects.² Moreover, federally-funded research reports have concluded that syringe exchange programs, as a part of a comprehensive HIV prevention strategy, are an effective public health intervention that reduces HIV transmission without increasing the use of illicit drugs.³ Additionally, these programs can serve as a bridge to treatment for drug addiction.⁴

Despite the ban on federal funding, SEPs exist in 36 of 50 states, as well as the District of Columbia and Puerto Rico, where they serve as a proven method of preventing the transmission of HIV.⁵ Currently, however, implementation of SEPs suffers from a lack of sufficient funding. Removing the ban on federal funding would allow state and local health departments and communities the flexibility to use federal funds for syringe exchange and to prevent transmission of HIV in the United States. Removing the federal funding ban will also enable communities to determine which prevention methods are best suited to serve their needs.

The Committee on AIDS and the Committee on Drugs and the Law of the Association of the Bar of the City of New York support full revocation of the ban on the use of federal funds for SEPs and urges passage of legislation which permits federal funding to localities for this purpose.

Respectfully submitted,

The Committee on AIDS and the Committee on Drugs and the Law
of the Association of the Bar of the City of New York

¹ See, e.g., David Satcher, U.S. Dep't of Health & Human Services, *Evidence-based Findings for the Efficacy of Syringe Exchange Programs: An Analysis of the Scientific Research Completed Since April 1998* (March 17, 2000), available at <http://home.mchsi.com/~apclc/8fedstudies2.pdf>; The Foundation for AIDS Research, *Fact Sheet: Public Safety, Law Enforcement, and Syringe Exchange* (July 2009), available at: http://www.amfar.org/uploadedFiles/On_The_Hill/Resources/fact%20sheet%204pg%20Syringe%20ExchangeD.pdf?n=1733 (last visited June 11, 2012).

² See, e.g., Institute of Medicine, *Preventing HIV Infection Among Injecting Drug Users in High-risk Countries: Report Brief* (Sept. 2006) at 2, available at http://www.iom.edu/~media/Files/Report%20Files/2006/Preventing-HIV-Infection-among-Injecting-Drug-Users-in-High-Risk-Countries-An-Assessment-of-the-Evidence/11731_brief.ashx (last visited June 11, 2012).

³ See, e.g., Satcher *supra* n. 1.

⁴ See The Foundation for AIDS Research, *Fact Sheet supra* n. 1.

⁵ The Foundation for AIDS Research, *Fact Sheet supra* n. 1. See also Gay Men's Health Crisis, *Syringe Exchange: An Effective Tool in the Fight Against HIV and Drug Abuse* (2009) at 2, available at http://www.gmhc.org/files/editor/file/SEP_report.pdf (last visited June 11, 2012).