

July 16, 2009

The Honorable David Obey, Chairman  
The Honorable Jerry Lewis, Ranking Member  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

Re: **Full Committee Mark-up, FY 2010 Labor/HHS Appropriations;  
Remove Federal Funding Ban for Syringe Exchange Programs**

Dear Chairman Obey and Ranking Member Lewis:

The American Bar Association (ABA), the national representative of the legal profession with more than 400,000 members nationwide, respectfully urges the full Appropriations Committee to retain, without amendment, the recommendation of the Subcommittee on Labor, Health and Human Services to remove the federal funding ban for needle exchange programs.

In 1997 the ABA adopted policy developed by the AIDS Coordinating Committee supporting needle exchange (also called syringe exchange) programs as a scientifically proven HIV prevention measure. We remain deeply concerned about the state of HIV/AIDS in the United States and the lack of wide-scale implementation of needle exchange programs due largely to a ban on federal funding for these programs.

According to data collected by the Centers for Disease Control and Prevention, more than 56,000 new infections occur annually in this country — a rate of one new infection every nine-and-a-half minutes — and injection drug use accounts for about 30% of these new HIV infections. Yet numerous scientific studies, including several funded by the federal government, have established conclusively that needle exchange programs, when implemented as part of a comprehensive HIV/AIDS prevention strategy, are an effective HIV prevention intervention and do not promote drug use. Needle exchange programs have also been shown to prevent the transmission of hepatitis C and other blood borne health threats.

We emphasize that removing the federal funding ban on needle exchange programs will permit, but not require, states or localities to implement these programs. Whether, how and where to implement them are questions best resolved by – and left to—local authorities.

The ABA therefore supports the Subcommittee's recommendation to remove the ban on federal funding for needle exchange programs to allow states and localities the financial

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and programmatic flexibility to consider this evidence-based HIV prevention measure.  
**We urge you and your Appropriations Committee colleagues to oppose any potential amendments that would reinstate the ban or that would diminish the effectiveness of this program.**

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink, reading "Thomas M. Susman" with a long horizontal flourish extending to the right.

Thomas M. Susman