TOM DAVIS, VIRGINIA
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MINORITY MEMBER

ONE HUNDRED NINTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143

Majority (202) 225–5074
Minority (202) 225–5051

February 18, 2005

The Honorable Condoleeza Rice
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Madam Secretary:

We understand that on February 11, 2005, Chairman Davis and Chairman Souder sent you a letter requesting a number of documents relating to State Department support of harm reduction programs as well as documents regarding an invitation extended to Mr. George Soros to participate in the Secretary's Open Forum at the Department of State. In that letter, Chairman Davis and Chairman Souder are inaccurate in their description of the 2004 annual report of the United Nation's International Narcotics Control Board. We are writing to urge you to read the complete report before you respond to their letter.

In their letter, Chairman Davis and Chairman Souder wrote:

> In its annual report released March 2, 2004, the International Narcotics Control Board — the United Nations' drug agency — sharply criticized "harm reduction" measures such as needle exchange programs and so-called "safe injecting rooms," because such policies encourage drug use and violate "article 4 of the 1961 Convention [which] obliges State parties to ensure that the production, manufacture, import, export, distribution of, trade in, use and possession of drugs is to be limited exclusively to medical and scientific purposes. Therefore, from a legal point of view, such facilities violate the international drug control conventions."[1]

This is what the report actually says about needle exchange programs:

> In a number of countries, Governments have introduced since the end of the 1980s programmes for the exchange or distribution of needles and syringes for drug addicts,

---

[1] Letter from Reps. Tom Davis and Mark Souder to United States Agency for International Development Administrator Andrew Natsios (Feb. 11, 2005).

with the aim of limiting the spread of HIV/AIDS. The Board maintains the position expressed by it already in 1987 that Governments need to adopt measures that may decrease the sharing of hypodermic needles among injecting drug abusers in order to limit the spread of HIV/AIDS. At the same time, the Board has been stressing that any prophylactic measures should not promote and/or facilitate drug abuse.[2]

According to the National institutes of Health, needle exchange programs have been demonstrated to reduce the risk of HIV transmission without increasing drug use.[3] Debates about their use as an HIV prevention strategy should be based on the scientific evidence and should not be clouded by inaccurate descriptions of either their efficacy or their legality.

Sincerely,

Henry A. Waxman
Ranking Minority Member

Elijah E. Cummings
Ranking Minority Member
Subcommittee on Criminal Justice,
Drug Policy and Human Resources

---

[2] International Narcotics Control Board, *Report of the International Narcotics Control Board for 2003*, 36 (online at http://www.incb.org/e/ind_ar.htm).

[3] Letter from Dr. Elias A. Zerhouni, Director, National Institutes of Health, to Rep. Henry A. Waxman (Oct. 7, 2004).