

**April 05:** Welcome to the second issue of *HHSWatch*, a watchdog newsletter from CHAMP that monitors and reports on activities related to HIV prevention at Health and Human Services agencies, including CDC, NIH, HRSA and SAMHSA.

*HHSWatch* is a resource for community members, policy advocates, researchers and anyone interested in more fully understanding and tracking the committees, panels and administrators whose recommendations and decisions affect our work. It is published the last week of every month.

*HHSWatch* is committed to providing an outlet for those concerned about infringements upon science-based HIV prevention and treatment, and will respect your wishes for confidentiality. If you are interested in contributing information or suggesting a story, please contact [champ@champnetwork.org](mailto:champ@champnetwork.org).

**HHS Website *4Parents.gov* Promotes Misinformation and Ideology:** Parents, community organizations and national policy groups have expressed profound concern about a new website launched by HHS. On March 25, HHS introduced *4Parents.gov*, a website designed to help parents talk to adolescents. The site, which relies on fear-based messages, includes biased, values-based language, misinformation about condom efficacy and stigmatizing views on HIV-positive people and gay and lesbian youth.

The site includes an "STD chart" that claims condoms, when used correctly, are only effective in protecting against STDs such as chlamydia, gonorrhea, and syphilis 50% of the time. *4Parents.gov* provides no information for gay and lesbian adolescents, who are inherently invisible in a system that denies them the right to marry while asking that they remain abstinent until marriage. The only information it has for parents of queer kids is the suggestion that if your child is "experiencing difficulties with gender identity or sexual orientation issues, consider seeing a family therapist who shares your values." Advocates also note that HHS Secretary Leavitt does not provide any publicly accessible email address, and that calls have been bounced to the Office of Population Affairs. For more information or to sign a letter that will be passed on to HHS, visit [www.familiesaretalking.org](http://www.familiesaretalking.org).

**Bush Nominates Whitewater Team Member as Deputy Secretary of HHS:** The president announced on April 12 his nomination of Alex M. Azar II as Deputy Secretary of HHS. Azar previously served as General Council to HHS. Prior to joining HHS, he was a law partner at Wiley, Rein, and Fielding in Washington, DC. Azar served on the legal team that represented Bush during the 2000 Florida Supreme Court recount case. Azar was part of Kenneth Starr's independent-council team during the Whitewater investigation and clerked for Supreme Court Justice Antonin Scalia.

### **New HHS Watch Feature: *State Stories!***

*HHS Watch* will profile important state advocacy campaigns or significant state-level challenges that affect HIV prevention policies. State-to-state information is crucial in the fight for improved HIV prevention policies. This month, we profile efforts in Illinois confronting HIV issues in prisons:

***AIDS Foundation of Chicago Beats Mandatory Testing in Prisons; Moves Forward on Plan for Progressive HIV Policies for the Incarcerated:*** The AIDS Foundation of Chicago won an overwhelming victory in the Illinois House of Representatives on April 13 when a bill requiring mandatory HIV testing of state inmates was voted down 17 to 90. An impressive accomplishment in and of itself, this is only the beginning of the AFC's Call to Action for addressing the intersection of HIV/AIDS and prisons.

The isolation of prisoners and complexities of systems of incarceration make prison advocacy a significant challenge in HIV policy, despite the urgent need for reform in a nation in which one in five HIV infected persons pass through some aspect of corrections each year. To meet this challenge, AFC has released a *six-tiered plan* to address HIV in state prisons. The plan includes:

- HIV prevention education on intake
- ongoing access to voluntary counseling and testing
- prevention education provided by peer counselors
- condom access
- comprehensive medical care, including access to HIV/AIDS drugs
- discharge counseling and linkages to state-funded and community-based programs for HIV-positive ex-prisoners.

For more information on the AIDS Foundation of Chicago's work fighting HIV/AIDS in prisons, visit [http://www.aidschicago.org/advocacy/2005\\_priorities\\_prisons.php](http://www.aidschicago.org/advocacy/2005_priorities_prisons.php).

**CHAMP's Strategy Lab Addresses Concerns Regarding PEP to CDC:** In February, CDC announced its plan to change its recommendations on the availability of post-exposure prophylaxis (PEP). Previously, PEP had been available only to those exposed in an occupational setting – usually healthcare workers exposed by an accidental needle stick. CDC's new position supports wider availability of PEP to those exposed non-occupationally (handy *HHS Watch* glossary: non-occupational HIV exposure: sex and drugs). While supporting wider availability of HIV prevention tools is to be commended, several community-based organizations and policy advocates voiced concern over the implementation and distribution of PEP:

- PEP must be accompanied by information, training, and guidance to community service providers.
- PEP must not be implemented at the expense of other prevention efforts.
- There must be high-level and consistent community involvement in strategies for rolling out and evaluating the provision of PEP.
- CDC must address the significant challenges to making PEP more broadly available through reliable and transparent mechanisms, including questions of infrastructure and financing.

CHAMP's Strategy Lab shaped these concerns into a letter sent to Dr. Julie Gerberding, Ron Janssen, and Janet Cleveland at CDC. We have asked for CDC to convene a meeting with community-based organizations and healthcare providers. Our letter is available at:  
<http://www.champnetwork.org/index.php?name=news>.

**Ugandan Minister Martin Ssempe Testifies at HIRC Hearing on PEPFAR:** On April 13<sup>th</sup>, the House International Relations Committee (HIRC) held a hearing on “The US Response to Global AIDS Crisis: A Two-Year Review.” Among those testifying before the committee was Martin Ssempe, a self-described “college minister” at Makerere University in Uganda. Ssempe founded and runs the Makerere Community Church and Makerere Youth Ministry, located not far from the University in a building he calls the “White House.”

Ssempe preaches evangelical Christianity and is firm in his condemnation of extra-marital sex, alcohol, pornography, and homosexuality. He is known for public stunts like burning condoms on the grounds of Makerere University.

During his testimony, Ssempea claimed that “the reason Ugandans and other Africans are dying is because of sexual promiscuity. That is what is killing us.” To read Ssempea's testimony to HIRC, visit: [http://www.house.gov/international\\_relations/109/sse041304.pdf](http://www.house.gov/international_relations/109/sse041304.pdf).

**Criminalization of HIV Transmission and CDC’s “Prevention for Positives”:** One year after CDC rolled out its “Prevention for Positives” initiative, CDC has failed to address potential criminal law issues inherent in partner notification policies. Every state has criminal statutes addressing transmission of HIV. A study by researcher Zita Lazzarini reports that the average minimum sentence for felony criminal exposure to HIV is 14.3 years.

In the *AIDS and Public Policy Journal*, David W. Webber, counsel to the AIDS Law Project of Pennsylvania, outlines how “Prevention for Positives” could put people with HIV at risk of prosecution. Among his chief concerns are the lack of confidentiality of partner-notification records and the possibility that the risk of criminal prosecution would serve as a disincentive for testing and cooperation with partner-notification efforts.

Read Webber's article, “Self-Incrimination, Partner Notification, and the Criminal Law: Negatives for the CDC's ‘Prevention for Positives’ Initiative,” at <http://www.aidsandthelaw.com/publications/WebberAPPJ19no1.htm>.