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Congress of the United States

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April 11, 2006

The Hon. Condoleezza Rice
Secretary
United States Department of State
Washington, D.C.

Dear Madam Secretary:

On February 11, 2005, fourteen months ago to the day, Chairman Davis and I sent you a letter requesting documents relating to State Department's support for the Soros Foundation, Open Society Institute, Open Health Institute, International Harm Reduction Association, Asian Harm Reduction Network, Centre for Harm Reduction, Harm Reduction Coalition, and any other "harm reduction"/drug legalization organization known to the Department of State. We also asked that these documents be conveyed on CD-ROM in an electronically searchable text format that employs Microsoft Word or Adobe Acrobat.

While we received one piece of paper from Assistant Secretary Bergner on December 15, 2005, we did not receive a second document until after Christmas of last year. I understand that there are yet some 2,000 documents relating to this year-old request that have not been turned over to the Subcommittee.

The lack of cooperation by your Department on this oversight matter is disturbing, and invites more inquiry.

Sincerely,

Mark E. Souder
Chairman
Subcommittee on Criminal Justice,
Drug Policy and Human Resources

cc The Honorable Clay Johnson
The Honorable Howard J. Krongard

Attachment

TOM DAVIS, VIRGINIA
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MINORITY MEMBER

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February 11, 2005

The Hon. Condoleezza Rice
Secretary
United States Department of State
Washington, D.C.

Dear Madam Secretary:

Staff of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources have been pursuing a document request since January concerning a possible State Department role in the financing of the Open Society Institute/Kazakhstan as part of an ongoing investigation of the international "harm reduction"/ drug legalization movement. We are concerned that the State Department may have assisted USAID in financing such "harm reduction"/drug legalization programs, and may have financed others on its own.

On the afternoon of February 8, 2005, Subcommittee staff participated in an interagency conference call with State Department and USAID staff to reiterate the urgency of providing these documents to the Subcommittee so that members and staff may be better prepared for a hearing scheduled for February 16, 2005.

At approximately 2:00 p.m. on the afternoon of February 10, 2005, the State Department's Deputy Assistant Secretary for House Affairs notified the Subcommittee that no documents would be forthcoming unless the request were made in writing.

We are very disappointed that State Department staff have been so unenthusiastic in assisting the Subcommittee's investigation. To have requested a letter for State Department documents in January would have been understandable (assuming that is Departmental policy); to wait until February 10th is a discourtesy.

As you may know, "harm reduction" is an ideological position that assumes certain individuals are incapable of making healthy decisions. Advocates of this position hold that dangerous behaviors, such as drug abuse, therefore simply must be accepted by society and those who choose such lifestyles -- or become trapped in them -- should be enabled to continue these behaviors in a less "harmful" manner. Often, however, these lifestyles are the result of addiction, mental illness, or other conditions that can and should be treated rather than accepted as normative, healthy behaviors.

To undermine drug laws, the drug legalization movement often acts in the guise of promoting the alleged public health benefits of "harm reduction."

But not everyone is fooled.

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."

What troubles us is that at the same time that the International Narcotics Control Board was warning parties to the *Single Convention on Narcotic Drugs* (1961), the *Convention on Psychotropic Substances* (1971), and the *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* (1988) that government financing of "harm reduction" schemes may be in violation of those accords, it appears that USAID was financing a "harm reduction" agenda of its own.

What documents does the Department of State have in its possession that could shed light on this matter? Has the State Department also been financing "harm reduction"/drug legalization programs?

On the afternoon of February 10, White House Office of National Drug Control Policy Director John Walters testified before the Subcommittee on Criminal Justice, Drug Policy, and Human Resources. He was asked about USAID's involvement in two questionable projects. The first project was the 14th International Conference on Reduction of Drug Related Harm held in Chiang Mai, Thailand from April 6-10, 2003. In an e-mail invitation to the conference, it was promoted as having a "special emphasis on harm reduction advocacy... Harm reduction has to fight hard to get a hearing in the midst of all this and to challenge the new social order campaigns." The conference was sponsored by the International Harm Reduction Association, the Asian Harm Reduction Network, and cosponsored by the Centre for Harm Reduction and USAID.

The second project was the Asian Harm Reduction Network's 350-page, second-edition *Manual for Reducing Drug Related Harm in Asia* (which bears a USAID logo). USAID's role in the production of the manual is acknowledged inside the cover: "This publication was made possible through support provided by the Office of Strategic Planning, Operations, and Technical Support, Bureau for Asia and the Near East, U.S. Agency for International Development..." Included in the second chapter of the manual, "Rationale for Harm Reduction," are sections on "needle and syringe programs," "sales and purchasing of injecting equipment," and "removing barriers." In the fifth chapter, "Injecting Safely," are sections devoted to "sharing of injecting equipment," and "safe injecting."

ONDCP Director Walters responded that he was not aware of the "harm reduction" publication financed by USAID nor did he attend the USAID-cosponsored 14th International Conference on Reduction of Drug Related Harm. He added, however, that he has been aggressive in rebuking international organizations which promote "harm reduction." He pledged to look into this regrettable matter and report back to the Subcommittee.

We would like to help the White House in its investigation by providing documents we believe are in the possession of the Department of State.

We request that the Department provide the Subcommittee on Criminal Justice, Drug Policy, and Human Resources all documents related to any support of "harm reduction" or drug legalization. We also request all documents related in any way to Department of State involvement in, financing of, or support for programs also participated in by the Soros Foundation, Open Society Institute, Open Health Institute, International Harm Reduction Association, Asian Harm Reduction Network, Centre for Harm Reduction, Harm Reduction Coalition, and any other "harm reduction"/drug legalization organization known to the Department of State.

We also request all documents related to the invitation extended to Mr. George Soros, a major financier of the "harm reduction"/drug legalization movement, to be the featured speaker at the Secretary's Open Forum at the Department of State. We request a transcript of his speech at the State Department, copies of invitations to the forum, webpages promoting his presentation, and a staffing and salary presentation to determine how taxpayer dollars have been expended on the Secretary's Open Forum from the time of Mr. Soros' presentation until the present day.

Given the brevity of time before the February 16 hearing, and given the large volume of documents we expect the Department of State to provide the Subcommittee prior to that date relating to the international "harm reduction"/drug legalization movement, we request that these documents be hand-delivered to the Subcommittee by your staff on CD-ROM in an electronically searchable text format that employs Microsoft Word or Adobe Acrobat.

If you have any questions, please have a member of your staff contact the clerk of the Subcommittee, Malia Holst, at (202) 225-2577, fax 225-1154.

Sincerely,

Tom Davis
Chairman
Committee on Government Reform

Mark E. Souder
Chairman
Subcommittee on Criminal Justice,
Drug Policy and Human Resources

Attachment: Definitions

ATTACHMENT

1. The term "documents" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.

2. The terms "related to" or "relating to" means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.