

**Congress of the United States**  
Washington, DC 20510

June 9, 2010

Dr. Arthur W. Bracey  
Chair  
Advisory Committee on Blood Safety and Availability  
Department of Health and Human Services  
1101 Wootton Parkway, Suite 250  
Rockville, Maryland 20852

Dear Dr. Bracey:

We are writing to express our support for your upcoming meeting of the Department of Health and Human Services (HHS) Advisory Committee on Blood Safety and Availability on June 10<sup>th</sup> and 11<sup>th</sup> to review the Federal policy that prohibits men who have had sex with other men (MSM) from ever donating blood. We join with medical experts at the American Red Cross, America's Blood Centers, AABB, and the American Medical Association, among others, in calling for a change in policy that better reflects the science of high risk behavior for HIV. The time has clearly come to review and modify this policy to strengthen the safety of the blood supply and remove any needless discriminatory rules from the process.

In the wake of the major blood donor organizations stating that the lifetime ban on MSM blood donors is "medically and scientifically unwarranted," we urge you to utilize the most up to date and comprehensive medical and scientific data regarding high risk behaviors in your considerations. In order to improve the integrity of the blood supply, we believe it is imperative that all high risk behaviors be appropriately targeted in the screening process and that similar deferral periods are established for similar risks.

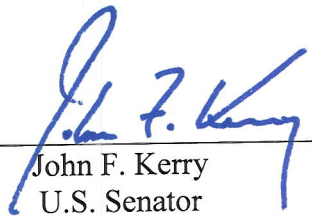
As the policy currently stands, a number of potential oversights and medically unjustifiable double standards seem apparent. For instance, there is no prescribed consideration of safer sex practices, individuals who routinely practice unsafe heterosexual sex face no deferral period at all while monogamous and married homosexual partners who practice safe sex are banned for life. In fact, a woman who has sexual relations with an HIV positive male is deferred for one year, while a man who has had sexual relations with another man, even a monogamous partner, is deferred for life. Even individuals who have paid prostitutes for heterosexual sex face a deferral period of one year while gay men face a lifetime ban. These do not strike us as scientifically sound conclusions.

The safety of our blood supply is of the utmost importance. With the advances in medicine over the course of the last three decades, we encourage you to look beyond blanket deferrals and consider screening based on real high risk behavior so we can update our blood donation policies from their early 1980's origins. By keeping discriminatory policies on the books, and denying willing donors the opportunity to help others we put the integrity of the blood donation system at risk.

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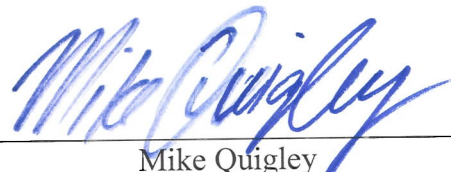
Thank you for your consideration of these concerns. We look forward to the Committee's recommendations for modifying this policy.

Sincerely,




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John F. Kerry  
U.S. Senator




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Mike Quigley  
Member of Congress




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Sherrod Brown  
U.S. Senator




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Anthony Weiner  
Member of Congress



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Kirsten Gillibrand  
U.S. Senator




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Sheldon Whitehouse  
U.S. Senator



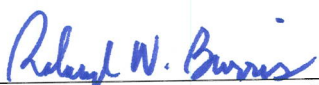
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Maria Cantwell  
U.S. Senator



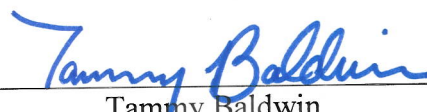
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Robert P. Casey  
U.S. Senator



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Roland W. Burris  
U.S. Senator



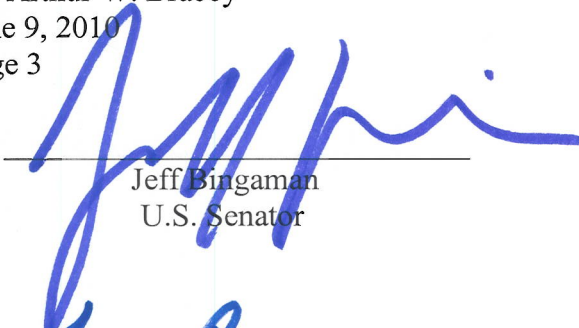
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Tammy Baldwin  
Member of Congress

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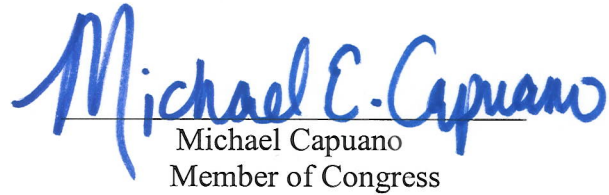
Jeff Bingaman  
U.S. Senator



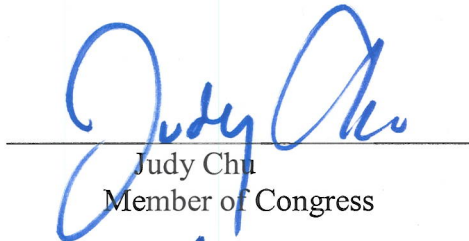
Shelley Berkley  
Member of Congress



Lois Capps  
Member of Congress




Michael Capuano  
Member of Congress



Judy Chu  
Member of Congress



Joseph Crowley  
Member of Congress



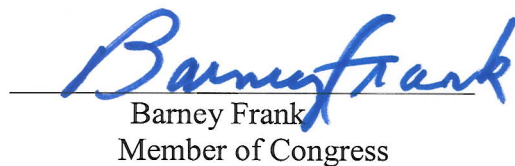
Susan Davis  
Member of Congress



Diana DeGette  
Member of Congress



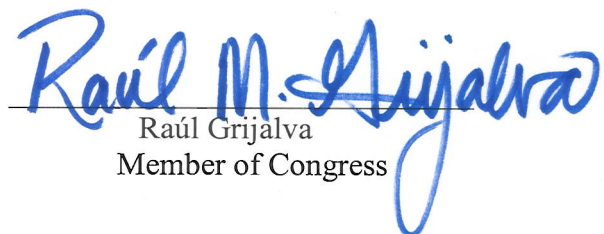
Sam Farr  
Member of Congress



Barney Frank  
Member of Congress

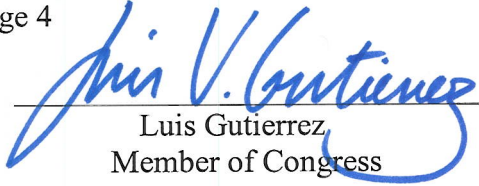


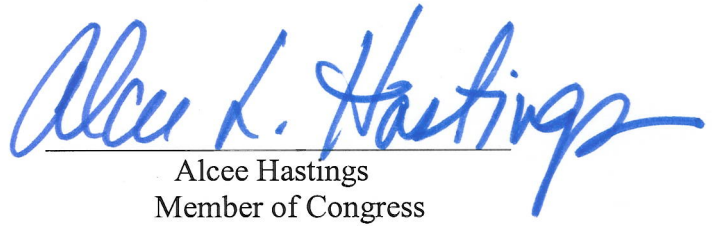
John Garamendi  
Member of Congress

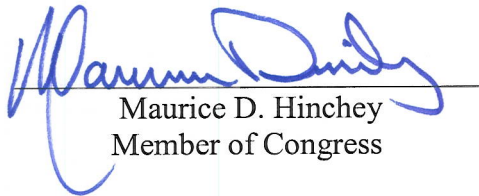


Raúl Grijalva  
Member of Congress

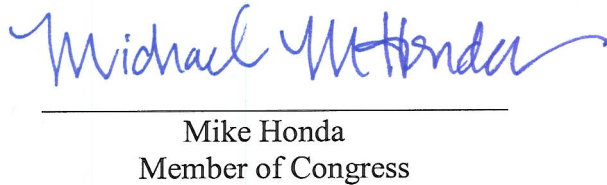
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Luis Gutierrez  
Member of Congress

  
Alcee Hastings  
Member of Congress

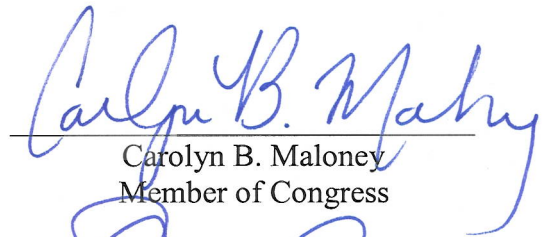
  
Maurice D. Hinchey  
Member of Congress

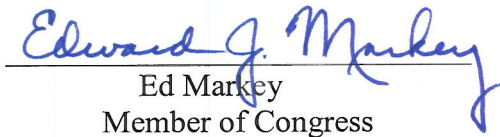
  
Rush Holt  
Member of Congress

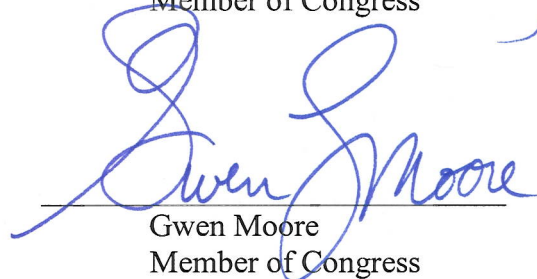
  
Mike Honda  
Member of Congress

  
Hank Johnson  
Member of Congress

  
Barbara Lee  
Member of Congress

  
Carolyn B. Maloney  
Member of Congress

  
Ed Markey  
Member of Congress

  
Gwen Moore  
Member of Congress

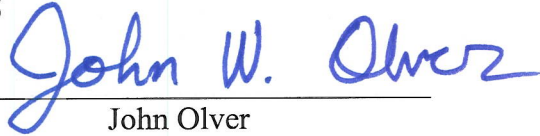
  
Jim Moran  
Member of Congress

  
Jerrold Nadler  
Member of Congress

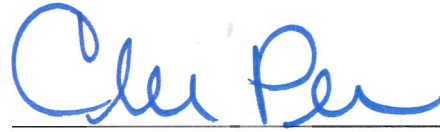
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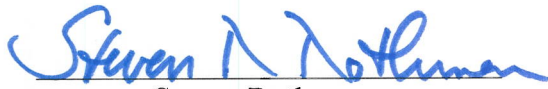
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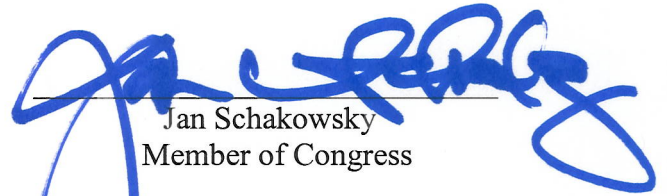
John Olver  
Member of Congress



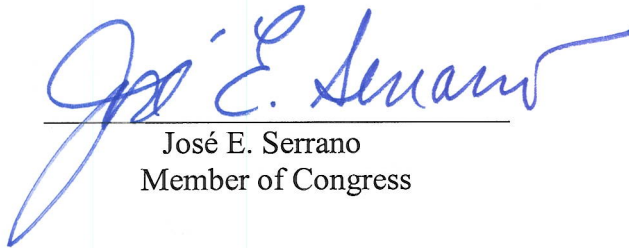
Chellie Pingree  
Member of Congress



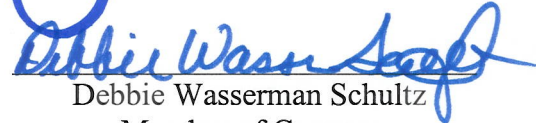
Steven Rothman  
Member of Congress



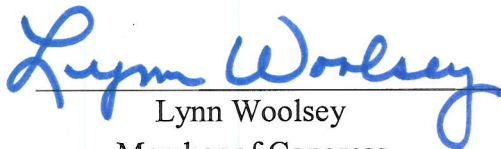
Jan Schakowsky  
Member of Congress



José E. Serrano  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



Lynn Woolsey  
Member of Congress



Russ Feingold  
U.S. Senator