



March 29, 2012

Dear Colleague:

As you are aware, On December 17, 2011, Congress passed HR 2055, the Consolidated Appropriations Act 2012, which the President signed into law on December 23, 2011. The following language was included in Division F, Title V, Sec. 523: "Notwithstanding any other provision of this Act, no funds appropriated in the Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug."

This act reinstates the ban that was in place prior to December 2009. As a result, using federal funds for the distribution of needles or syringes for the hypodermic injection of any illegal drug is prohibited with fiscal year 2012 funding. Specifically, the following activities are no longer permitted with federal funds:

- Human resources used specifically to distribute needles or syringes
- Delivery modes, e.g. vehicles or rent for fixed sites used specifically for distributing needles or syringes
- Purchase of needles or syringes

This memo replaces any prior HHS agency communication on the reinstated ban.

A handwritten signature in black ink that reads "R. Valdiserri".

Ronald O. Valdiserri, MD, MPH
Deputy Assistant Secretary for Health,
Infectious Diseases