

say it is just plain wrong scientifically and medically, we will have some understanding of why this is the wrong thing to vote for.

First, those opposing the Allen amendment: The American Medical Association, the American Academy of Pediatrics, the American Foundation for AIDS Research, the American Nurses Association, the American Pharmaceutical Association, the American Public Health Association. The list goes on and on and on. Every major credible public health organization that has been asked to comment on needle exchange programs has concluded they are an effective way to fight drug usage and the spread of HIV and AIDS.

Let me draw the attention of the Senate to this chart. This is a map of the United States showing the States that are currently involved with needle exchange programs. Keep in mind, all of these 31 States have decided this is a good way to fight drug usage and HIV/AIDS. Are we passing a law banning States around the country such as Maryland from having a needle exchange program, or Illinois? No. Only the District of Columbia, where Senators and Congressmen get to play mayor for a day. That is unfair. Look at these States all across America: Florida, Georgia, North Carolina, Tennessee, Louisiana, Texas, the President's home State, all with needle exchange programs.

If this is such a scourge on America, as the Senator from Virginia suggests, why hasn't he offered an amendment to ban these programs nationwide? Because, frankly, it is not Congress's business to do so. Secondly, it is just plain wrong from a public health point of view.

We know in these States that these programs bring people who are currently addicted into the presence of those who will give them the clean and safe needles, but also much more. They will connect up with them to try to help them end their drug usage. People living and lurking in the shadows and alleys of America as IV drug users using contaminated needles are not going to end their addiction, they are going to unfortunately continue it. They are going to give birth to children who will also suffer from HIV and AIDS as a result of it.

Ninety-five percent of the programs refer clients to substance abuse treatment and counseling programs—95 percent of those needle exchange programs do make the referrals. You are going to cut off this opportunity to reach out to a drug addict and say, please, we know that you are addicted, but here is your chance to shake this addiction, to change your life. Why would we walk away from that? Why in the Nation's Capital would we walk away from it, where the HIV and AIDS infection is the worst in America?

Over half of the people who come to these needle exchange programs realize they have an opportunity for voluntary

HIV testing on the site, and more than a quarter are screened for hepatitis B and C. All seven of the needle exchange programs in my home State of Illinois offer referrals to treatment information about HIV prevention.

I have voted for some of the toughest penalties in the law when it comes to drug usage. I have joined with those who say we have to make it clear that this is wrong; it not only kills you, but it threatens America in so many ways. I think these harsh punishments have worked in some cases; they have not worked in others. There are some people for whom even the harshest punishment in the world is not enough. They need a helping hand, someone who will reach out to them and say, please, test yourself for HIV, consider this program for rehab.

The amendment offered by the Senator from Virginia will stop the Nation's Capital, a city that is rocked with the HIV/AIDS epidemic, from fighting it. This amendment turns its back on the scientific and medical evidence which we gather across America in terms of how these programs help us to fight drugs, how they help us to fight crime, fight dependency, and fight addiction, why 31 different States, including the State of Utah and the State of Louisiana, have similar programs.

The ACTING PRESIDENT pro tempore. The Senator's 12 minutes have expired.

Mr. DURBIN. I ask for 2 additional minutes.

Ms. LANDRIEU. I yield 2 additional minutes to the Senator.

Mr. DURBIN. The Senator from Virginia said at one point that this is a program that harms its participants. I say to the Senator that the American Medical Association disagrees with him. The American Public Health Association disagrees with him. Law enforcement in the District of Columbia disagrees with him, and the Surgeon General of the United States disagrees with him as well.

When we consider what we are up against, the Senator says we have to make sure we send the right message. The fact that we can come to the floor and make a political judgment to take away one of the tools and weapons to fight for good public health and to fight HIV/AIDS is the wrong message. What are we going to do next? Are we going to decide that Congress is going to make decisions about the threat of anthrax and not the public health community, that it is a political decision not a medical decision? I hope not.

Whether we are fighting AIDS or anthrax, whether we are fighting drug addiction or other problems facing us in America on the medical scene, for goodness sakes, let us have the humility as Members of the Senate and the House to defer to the experts in the field. Let us not be swept away with the thought that by passing this amendment we are stating something that is politically strong.

Let me close with this statement from the Surgeon General because this says it all:

In summary, the new studies contribute substantially to the strength of the data showing the following effects of effective syringe exchange programs: A decrease in new HIV sero conversions; an increase in the numbers of injection drug users referred to and retained in substance abuse treatment and well-documented opportunities for multiple prevention services and referral and entry into medical care. The data indicate that the presence of a syringe exchange program does not increase the use of illegal drugs among participants in the syringe exchange programs.

That is the Surgeon General speaking on the basis of facts and real statistics. I beg the Senate not to play mayor and council for a day at the expense of an HIV/AIDS epidemic in the Nation's Capital. Stand with the AMA and the Surgeon General for the sound and prudent medical judgment to let those programs continue in the District of Columbia using their own funds.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. REID. I ask that the time I consume not be charged against either of the managers.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AVIATION SECURITY ACT

Mr. REID. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 1447).

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives.

*Resolved*, That the House insist upon its amendment to the bill (S. 1447) entitled "An Act to improve aviation security, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That Mr. Young of Alaska, Mr. Petri, Mr. Duncan, Mr. Mica, Mr. Ehlers, Mr. Oberstar, Mr. Lipinski, and Mr. DeFazio, be the managers of the conference on the part of the House.

Mr. REID. Mr. President, I ask unanimous consent that the Senate disagree to the House amendment, agree to the request for a conference on the disagreeing votes of the two Houses and that the Chair be authorized to appoint conferees on the part of the Senate, with no intervening action.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Chair appointed Mr. HOLLINGS, Mr. INOUE, Mr. ROCKEFELLER, Mr. KERRY, Mr. BREAUX, Mr. DORGAN, Mr. WYDEN, Mr. MCCAIN, Mr. STEVENS, Mr. BURNS, Mr. LOTT, Mrs. HUTCHISON, and Ms. SNOWE, conferees on the part of the Senate.