

DRAFT COPY

C. Everett Koop, M.D.
The Surgeon General

Dear Dr. Koop:

I appreciated your willingness to meet with us on _____ [date], though I regret that we could not come to an agreement on the issues that divide us. While these are few in number, I am convinced that they involve information and advice essential to saving the lives of many Americans.

As you know, the President, acting on the recommendations of the Domestic Policy Council, adopted principles on AIDS education calling for the Federal government to focus on "developing and conveying accurate health information on AIDS." You yourself pledged, in the final paragraph of your report: "As the Surgeon General, I will continually monitor the most current and accurate health, medical, and scientific information and make it available to you, the American people. Armed with this information you can join in the discussion and resolution of AIDS-related issues that are critical to your health, your children's health, and the health of the nation." In light of this pledge, I cannot understand why you would hesitate to give the American people "the most current and accurate" information.

I am writing in hopes that you will reconsider your decision to reissue your report without making those revisions that are necessary to meet the President's and your own standard.

Specifically, I continue to be concerned with your reluctance to revise the report to tell the American people about the growing body of evidence indicating the very real risks associated with relying on condoms to prevent HIV transmission. The current report gives broad and unrealistic assurances that condoms are adequate protection against AIDS infection. In the light of recent evidence, these assurances are inaccurate and may inadvertently lead people to take chances without fully understanding the potential dangers to which they are exposing themselves. For example, page 17 of the report tells the public--specifically including HIV-positive persons--that condoms provide "adequate" protection against HIV infection: "Some personal measures are adequate to safely protect yourself and others from infection by the AIDS virus and its complications. Among these are...If your test is positive or if you engage in high risk sexual activities and choose not to have a test, you should tell your sexual partner. If you jointly decide to have sex, you must protect your partner by always using a rubber (condom) during (start to finish) sexual intercourse (vagina or rectum)."

Aren't such assurances untenable in the light of recent evidence and expert opinion? Writing in the New England Journal of Medicine (May 1, 1987), Dr. James Goedert of the National Cancer Institute observes: "[I]t has recently been shown that condoms failed to prevent HIV transmission in 3 of 18 couples [in Dr. Margaret Fischl's University of Miami School of Medicine study], suggesting that the rate of condom failure with HIV may be as high as 17 percent." Dr. Goedert concludes from this study and from other scientific evidence that: "Current 'safer sex' guidelines for homosexual men are complicated and lack clarity...there is no acceptable level for this risk. 'Lower risk' is an inadequate goal and perhaps even a vacuous notion."

Does not Dr. Fischl's research, as well as the medical opinion of distinguished scientists like Dr. Goedert, require a revision of your report? Professor Shirley Damrosch of the University of Maryland Center for Nursing and Health Services Research, writing in The Washington Post (July 7, 1987) says: "In view of the more stringent recommendations by such medical authorities as Dr. Goedert, I hope that revision of the surgeon general's guidelines is being reconsidered."

Even if people could be taught to use condoms correctly, there would still be the additional problem that condoms are sometimes defective in manufacture. The condom industry's own standard allows up to four defective condoms per 1,000. Some products fail to meet even these minimal standards; according to the FDA, from April-June of this year 19 shipments of foreign-made condoms were detained and three U.S. condom manufacturers recalled several lots of their products. One recall involved over 2.8 million condoms.

I am all the more perplexed by your reluctance to rewrite the sections on condom use because you have publicly stated that sexual abstinence is safer than so-called "safe sex." Surely a revised edition of the Surgeon General's report would provide the perfect occasion for you to share with the American people your own reservations about the efficacy of condoms in preventing the disease.

You agree, I know, that the message we need to give young people is that they should abstain from sex. Yet this message is compromised by parts of your current report which fail to bluntly disabuse people of the false confidence that condoms will protect them. If, in a revised report, you help educators and other leaders understand the risks with condoms, they will be more likely to urge young people to abstain. For example, Mayor Koch of New York City recently directed city health officials to prepare new AIDS advertising advising people that abstinence is the safest way to avoid AIDS infection. In explaining this shift of emphasis, the mayor declared, "It is a misnomer, a fraud, to try to convey to people that if they use condoms they're absolutely safe from contracting AIDS." Surely, this Administration can be as candid with the American people as Mayor Koch is with New Yorkers.

Another point. Could we not be more candid with the American people by saying that although the blood supply is relatively safe, people still incur a small risk when they receive other people's blood during a transfusion? However small that chance is, it is 100% to those unfortunate to become infected this way. You yourself told me that 10 people have been infected by the AIDS virus through transfusions since present screening procedures were instituted.

Also, the Public Health Service AIDS Information/Education Plan specifically lists "transfusion or injection of infectious blood or blood fractions" as one of the means by which the AIDS virus is spread. I think we should also tell people that they can further reduce their risk in many cases by self-donations of blood. I understand that both you and President Reagan donated your own blood in preparation for recent operations. Shouldn't your report give the public a more precise and accurate appraisal of the safety of the blood supply and advise them of the advantage of donating their own blood for upcoming transfusions?

Almost a year has passed since your original report was issued, and we know more about AIDS than we did at that time. Surely prudence dictates that a new version of the report should reflect the progress we have made in understanding the disease and its transmission. I believe we owe Americans (in your words) "the most current and accurate" information that would put such matters as condom use and the blood supply into sharper and more credible focus. I don't believe we can err in disclosing to the public truths that are well-known to specialists.

Again I urge you to reconsider your decision to republish your report without revision.

Sincerely,

Gary L. Bauer

cc: Howard Baker
Sec. Otis Bowen
Robert Windom
etc.
etc.