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Executive Secretary
Advisory Committee on Blood Safety and Availability
Office of Public Health and Science
Department of Health and Human Services
1101 Wootton Parkway, Suite 250
Rockville, MD 20852

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Dear Members of the Advisory Committee,

We are pleased that the Health and Human Services Advisory Committee on Blood Safety and Availability (ACBSA) is planning to review the Food and Drug Administration's (FDA) decades-long ban on blood donation by any man who has had sex with another man since 1977. We share the FDA's concern of ensuring an adequate and safe blood supply. However, it is our opinion that this lifetime deferral for men who have sex with men (MSM) from donating blood is outdated and discriminatory and we strongly urge the Advisory Committee to recommend a revision of this policy.

The deferral period for MSM was first implemented in 1983, early in the AIDS crisis, as part of a larger set of donor eligibility requirements that looked to temporarily or permanently defer prospective blood donors thought to be at elevated risk of HIV or other transmissible diseases. Over the past twenty-five years, while some policies about blood donations have changed, the lifetime exclusion of all MSM remains, even though there have been huge advancements in HIV screening and improvements on quarantine release errors. The current policy makes no effort to distinguish between high-risk or low-risk MSM, and treats everyone in that category with a lifetime deferral, yet others at elevated risk of HIV are subject to significantly less restrictive deferrals – or no deferrals at all. This type of policy reinforces incorrect and outdated information about the spread of HIV that serves to discriminate against and stigmatize gay and bisexual men.

The inability of the policy to recognize low-risk MSM donors is happening at a time of chronic blood shortages across the country. This consideration, along with the technological advances in blood screening for HIV, have prompted America's Association of Blood Banks, America's Blood Centers and the American Red Cross to support reforms to the lifetime deferral for MSM. Additionally, Senator John Kerry, along with 17 other U.S. Senators, recently issued a letter to the FDA calling for the review and modification of the long-standing policy. Alternative policies – such as temporary deferrals or reformed screening procedures that focus on objective risk – offer significant opportunities to not only revise the current MSM policy but to also improve blood safety and adequacy of supplies.

To that end, we understand that maintaining a safe blood donor pool is of paramount importance for the FDA. Any changes to the current policy should be based on comprehensive, evidence-based research that takes in to consideration our need for a safe and robust supply of blood. Continuing to defer all MSM with no consideration of their risk, however, is not the right path to achieve our ideal policy.

We urge the Committee to move forward on reforms that would enable gay and bisexual men at low or no risk for HIV to donate blood, while continuing to prevent donations from those who are objectively at high-risk of donating blood that is infected with HIV or other transmissible diseases. It is time for the FDA to join the growing consensus from leading public health officials and our nation's blood banks to revise blood donation policy to one that ensures the safety of our blood supply without unnecessary discrimination. We look forward to assisting HHS and the FDA in this process.

Sincerely,

Acadiana C.A.R.E.S.
ActionAIDS
Advocates for Youth
AIDS Action Committee of Massachusetts
AIDS Action Council
AIDS Community Research Initiative of America
AIDS Foundation of Chicago
The AIDS Institute
AIDS Project Los Angeles
The AIDS LIFE Campaign
AIDS Taskforce of Greater Cleveland
amFAR, The Foundation for AIDS Research
Association of Nurses in AIDS Care
BIENESTAR, Southern California
Cascade AIDS Project
Chattanooga CARES
Connecticut AIDS Resource Coalition
Community Access National Network
Community HIV/AIDS Mobilization Project
Gay City Health Project
Gay Men's Health Crisis
Georgia Equality
HealthHIV
HIV Health and Human Services Planning Council of New York
HIV Medicine Association
HIVictorious, Inc.
Housing Works
Human Rights Campaign
International Association of Physicians in AIDS Care
International Rectal Microbicide Advocates
L.A. Gay & Lesbian Center
Lambda Legal
Lifelong AIDS Alliance
Log Cabin Republicans
Minnesota AIDS Project
Nashville CARES
National Alliance of State and Territorial AIDS Directors

The National Association of People with AIDS
The National Coalition for LGBT Health
National Gay and Lesbian Task Force
National Stonewall Democrats
New York AIDS Coalition
Ohio AIDS Coalition
Project Inform
Services & Advocacy for GLBT Elders (SAGE)
VillageCare