



May 9, 2007

Michael O. Leavitt
Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Leavitt:

In a letter dated April 25, 2007, lawyers for the American Civil Liberties Union's Reproductive Freedom Project brought to your attention several abstinence-only-until-marriage materials that violate federal law because they include medically inaccurate information about the effectiveness of condoms in preventing sexually transmitted infections (STIs, sometimes referred to as sexually transmitted diseases or STDs). (See attached.) We are writing to alert you to similar violations in federally funded programs in Florida and to ask that you take appropriate steps to remedy this problem.

We have strong reason to believe that many popular abstinence-only-until-marriage curricula used by recipients of federal funding in Florida violate the Public Health Services Act (42 U.S.C. § 247b-17(c)(2)). These include WAIT Training, A.C. Green's Game Plan, and Navigator. Like the materials named in the April 25th letter, the curricula used in our state omit vital information about condom effectiveness and contain inaccuracies suggesting that condoms fail to protect against infection, when in fact they are highly effective at doing so. Several examples, obtained from SEICUS curricula reviews, follow:

- WAIT Training claims condom use has received no "clinical proof of effectiveness" for prevention of any STD other than HIV, though this is refuted by data from the CDC indicating that which definitive data is lacking, more research is needed regarding actual effectiveness of condoms against certain STDs (*Latex Condoms and Sexually Transmitted Diseases – Prevention Messages* (Atlanta, GA: CDC, 2001), p. 2.) This curriculum also instructs teachers that "when used every time, condoms at best only provide a 50% reduction in the transmission rates of syphilis, gonorrhea and Chlamydia" and that "condoms do not appear to provide any protection from HPV..." (*WAIT Training*, p. 21.) This contradicts recent research suggesting that consistent use of condoms can greatly reduce HPV infection (Rachel R. Winer, et al, "Condom Use and the Risk of Genital Human Papillomavirus Infection in Young Women," *New England Journal of Medicine*, 354.25 (June 2006): 2645-2654.)

- A.C. Green's Game Plan states that condoms "are ineffective against some of the most common, and most serious, STDs, such as human papillomavirus." (*Game Plan*, p. 36); also that "condoms are not effective in preventing the spread of HPV which is the most common STD and has no cure." (*Game Plan*, p. 34.), an assertion that has been refuted by the CDC (J.L. Gerberding, *Report to Congress: Prevention of Genital Human Papillomavirus Infection*, p. 6.)
- Navigator twists the meaning of standard labeling on condom boxes to imply that "things that are dangerous" have warnings. (*Navigator*, Guide Book, p.46.) Navigator also implies that condom use may be tied to increased rates of STDs, stating "if condoms were effective against STDs, the increase in condom usage would correlate to a decrease in STD's overall – which is not the case. Rather as condom usage has increased, so have rates of STDs." (*Navigator*, workbook, p. 47.) In fact, a recent CDC fact sheet corrects this inaccuracy, explaining, "latex condoms when used consistently and correctly, can reduce the risk and transmission of gonorrhea, Chlamydia, and trichomoniasis." (*Fact Sheet for Public Health Personnel: Male Latex Condoms and Sexually Transmitted Diseases* (Atlanta: Centers for Disease Control and Prevention), accessed September 17, 2005 <http://www.cdc.gov/hiv/pubs/facts/condoms.htm>)

We are concerned that the above federally supported abstinence-only-until-marriage programs not only violate federal law but put teens at risk. Evidence shows that programs that both teach abstinence and include complete and medically accurate information about how to effectively use contraceptives, including condoms, can delay sexual activity and increase contraceptive use among teens. We hope that HHS will take this opportunity to closely examine all education materials currently used by recipients of federal abstinence-only funding and ensure that they comply with federal law. Teens need accurate information about condom effectiveness as well as other vital information about sex and sexuality in order to make healthy choices.

Please do not hesitate to contact us if you would like to discuss this matter further.

Sincerely,



Susan L. Derwin
Director, Florida Reproductive Freedom Project
ACLU Foundation of Florida

Encs.