

From: "Bluestein, Jenna P. EOP/ONDCP" (b) (6)
To: "Grippando, Hester C. EOP/OMB" (b) (6), "Schubel,
Jessica L. EOP/WHO" (b) (6), "Tanielian, Terri L. EOP/WHO"
(b) (6), "Hathi, Sejal EOP/WHO" (b) (6)

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(b) (6) "Richard.S.Cho@hud.gov" <Richard.S.Cho@hud.gov>

Cc: "Connolly, Beth A. EOP/ONDCP" (b) (6), "Gaumond,
Gerard (Peter) P. EOP/ONDCP" (b) (6), "Baez Gonzalez,
Coqui M. EOP/NSC" (b) (6)

Subject: [EXTERNAL] Prep for next week's Harm Reduction Working Group call

Date: Tue, 11 Oct 2022 16:26:47 +0000

Importance: Normal

Attachments: Harm_reduction_IWG_overview_and_plan.docx; ONDCP_Deck_-
SAMHSA_HR_Framework_26Sept22.pptx;
Harm_Reduction_Framework_Draft_for_Review_Group_not_for_distribution.docx

Hi all,

I'm looking forward to convening again next week, Tuesday, October 18th, to continue our discussion of the harm reduction working group priorities. As a reminder, please come prepared to ask questions about the tasks/deliverables (attached) and identify which subgroup(s) you would like to join—reimbursement, grant funding, and/or research.

I am also excited that I am able to share the slides from the harm reduction steering committee presentation last week (attached), as well as the full draft of the harm reduction framework document currently undergoing review at SAMHSA (attached—thanks Jeff!). Please note this is not a final document, so please do not circulate beyond our group, but if you have feedback, you are more than welcome to share (this will be going through formal clearance through HHS).

At the meeting next week, I plan to give a general overview of the legality of harm reduction services, at the federal and state levels, so we can all be on the same page about what is feasible. This is a question that comes up often in stakeholder conversations and I think will impact how we go about some of our own work. I'm looking forward to your questions!

If you were not able to join our first call and would like to meet with me separately about any of the attachments/topics I mentioned above, please feel free to reach out!

Thank you,
Jenna

Jenna Bluestein
Policy Analyst
Office of National Drug Control Policy
Executive Office of the President

(b) (6)

<https://www.whitehouse.gov/ondcp/>

SAMHSA HARM REDUCTION FRAMEWORK

ONDCP Interagency Meeting

Monday, September 26, 2002

Chad Sabora, JD | VP of government and public affairs | Indiana Center for Recovery

Christine Rodriguez, MPH | Senior Program Manager, Harm Reduction | AIDS United

DISCLAIMER

The harm reduction framework that will be published by SAMHSA is not complete.

Some of the information provided here will be the opinions of the presenters and not the stakeholders committee or SAMHSA

FRAMEWORK OVERVIEW

Definition of “Harm Reduction”

6 Pillars (*our focus today*)

- Harm reduction initiatives, programs, or services should include these elements

12 Core Principles

- Pillars are reinforced by more specific vital principles that guide the work. Programs that only incorporate a fraction of the 12 principles risk violating the fidelity of harm reduction

6 Core Practice Areas

- Highly effective methods of harm reduction reflecting community understanding, experience, strengths, and needs

HARM REDUCTION DEFINED

SAMHSA defines harm reduction as a practical and transformative approach that incorporates community-driven public health strategies—including prevention, risk reduction, and health promotion—to empower PWUD and their families with the choice to live healthy, self-directed, and purpose-filled lives.

The Six Pillars of Harm Reduction

HARM REDUCTION

**Is guided by people
with living and lived
experience.**

All aspects of the work are guided by persons with living or lived experience of using drugs.

Organizations providing harm reduction services should have a formal mechanism to meaningfully include the voices of people with lived experience in the design, implementation, and evaluation of those services (Ti et al., 2012). Those voices should adequately represent the spectrum of substance use.

Through shared decision-making, people with lived experience are empowered to take an active role in the engagement process and have better outcomes (SAMHSA, 2010).

Adopting at least one of the following specific mechanisms of inclusion is mission critical: advisory boards, consultation of CHRP or any other peer-led organizations, and the employment of people with lived experience in both intervention and administrative roles.


HARM REDUCTION...

Embraces the inherent value of people.


Supporting Principles:

- *Respect Autonomy*
- *Practice Acceptance & Hospitality*

All individuals have inherent value and are treated with dignity, respect, and positive regard.



Harm reduction initiatives, programs, and services never patronize nor pathologize PWUD, nor their communities.



They acknowledge that substance use happens, and the reasons a person uses drugs are nuanced, complex and often include high levels of trauma.

HARM REDUCTION...

**Commits to deep
community
engagement &
community building**

Supporting Principles:

- *Engage First*
- *Prioritize Listening*

All communities that are impacted by systemic harms are deeply engaged in program planning, development, and evaluation.



Funding agencies and funded programs support and sustain community cultural practices, and value community wisdom and expertise.



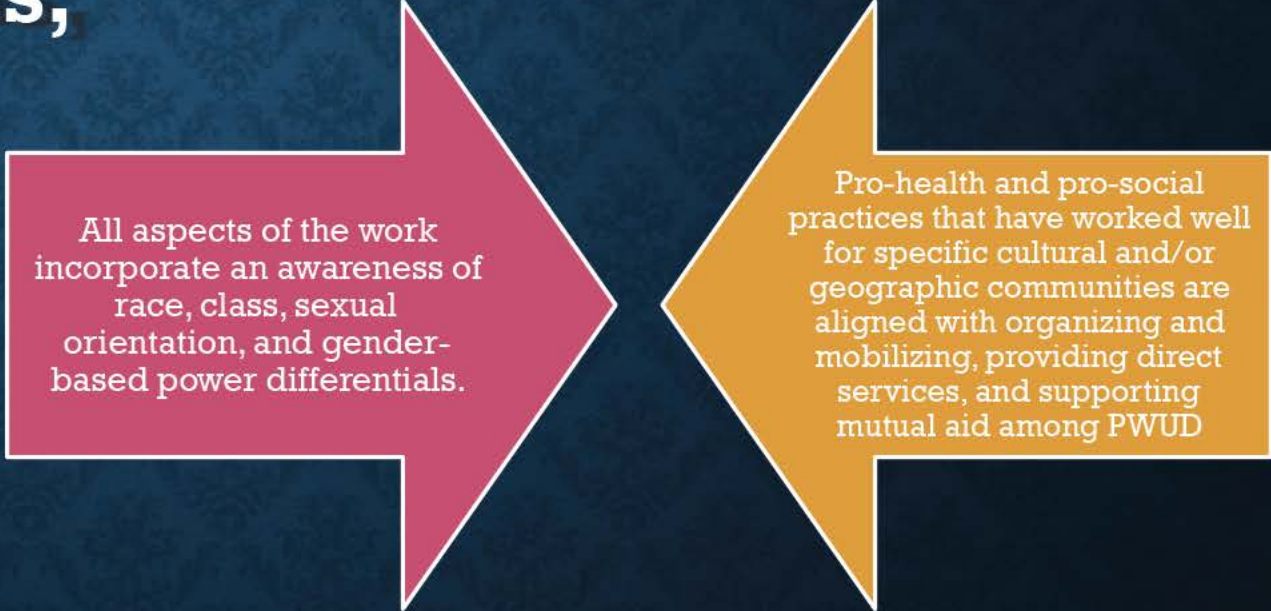
They develop through community-led initiatives focused on geographically specific, culturally based models that integrate language revitalization, cultural programming, and indigenous care with dominant-society healthcare approaches.

HARM REDUCTION...

**Promotes equity, rights,
& reparative social
justice.**

Supporting Principles:

- *Work Toward Systems Change*



All aspects of the work
incorporate an awareness of
race, class, sexual
orientation, and gender-
based power differentials.

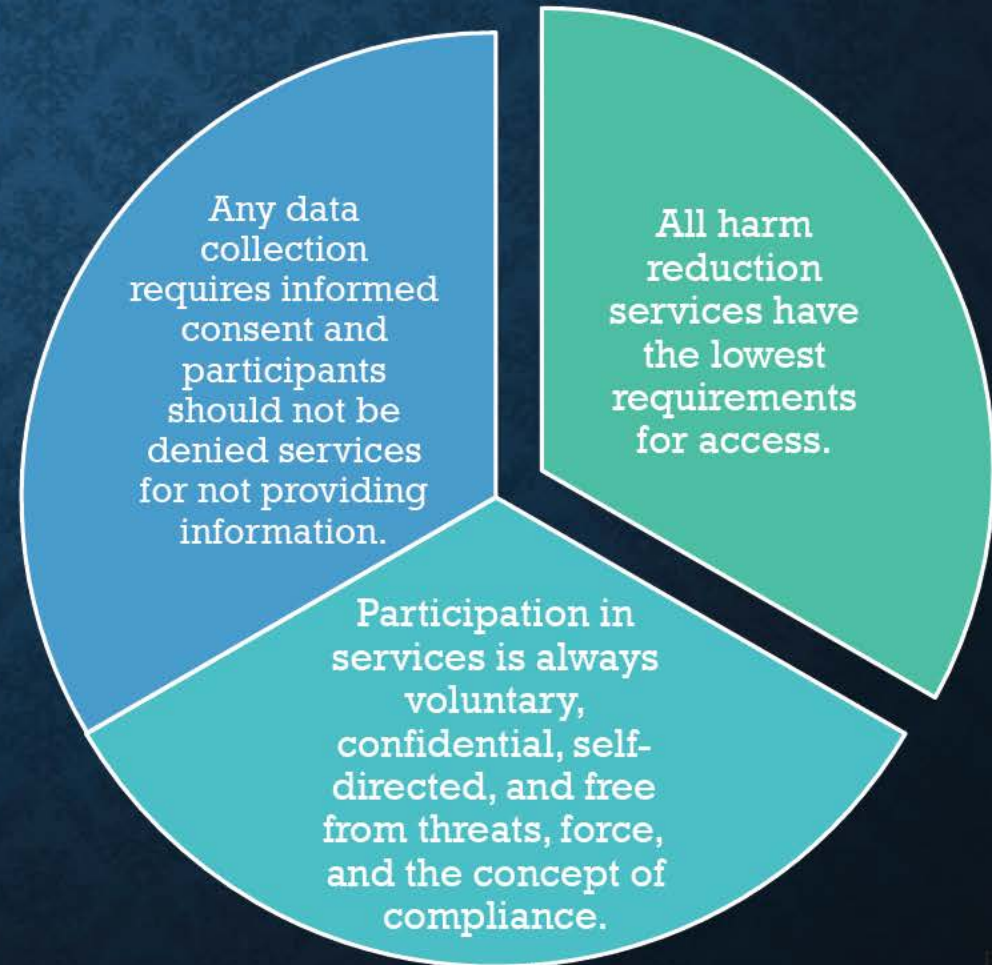
Pro-health and pro-social
practices that have worked well
for specific cultural and/or
geographic communities are
aligned with organizing and
mobilizing, providing direct
services, and supporting
mutual aid among PWUD

HARM REDUCTION...

Offers lowest barrier access & non-coercive support.

Supporting Principles:

- *Provide Support*
- *Connect family (biological & chosen)*
- *Provide many pathways to wellbeing across the continuum of health & social care*
- *Remain practical & value on-the-ground experience*



HARM REDUCTION...

Focuses on any positive change, as defined by the person.

Supporting Principles:

- *Cultivate Relationships*
- *Assist not Direct*
- *Promote Safety*

All harm reduction services are driven by person-centered positive change in the individual's quality of life.

Harm reduction initiatives, programs, and services recognize that positive change means moving towards more connectedness to the community, family, and a more healthful state, as the individual defines it.

There are many pathways to wellness; substance use recovery is only one of them. Abstinence is neither required nor discouraged.

6 CORE PRACTICE AREAS & EXAMPLES

SAFER PRACTICES:

Education & support describing how to reduce risk, & provision of risk reduction supplies & materials

- *Syringe services programs*
- *Safer smoking supplies & kits distribution (excluding pipes/pipettes & other drug paraphernalia)*
- *Overdose education & naloxone distribution*
- *Fentanyl test strips, community drug checking sites, & other drug checking*
- *Integrated repro health education, services & supplies, & STI screening & treatment*

SAFER ACCESS:

To safe environments to live, find respite, practice safer use, & receive supports that are trauma- and stigma-free

- *Syringe services programs with on-site, agonist-based medications for opioid use disorder (MOUD) availability*
- *Access to safe & secure housing*
- *Public health programs as alternatives to arrest & any justice system involvement*

6 CORE PRACTICE AREAS & EXAMPLES

MOUD:

Access to medications & services that reduce risk from toxic, adulterated drugs

- *Low threshold opioid treatment services*
- *Overhaul delivery of methadone services*
- *Mobile buprenorphine services*
- *Access to new paradigms of care*

SAFER TRANSITIONS to CARE:

Connections & access to harm-reduction informed & trauma-informed care & services

- *Health hubs for PWUD/integrated HIV, HCV, & health care services*
- *Expand telehealth while also addressing low tech literacy & enhancing access in languages other than English*
- *Warm hand-off to ED programs w/ low-threshold MOUD initiation & post-OD services*
- *Medication access & treatment on demand (abstinence not required)*

6 CORE PRACTICE AREAS & EXAMPLES

SUSTAINABLE WORKFORCE & FIELD:

Resources for maintaining a skilled, well-supported, & appropriately managed workforce & for sustaining community-based programs

- *Organizational leadership from people with living & lived experience*
- *Living wages & essential benefits for harm reduction workers*
- *Wellness services & support for harm reduction staff & volunteers*
- *Training & technical assistance for community-based providers*

SUSTAINABLE INFRASTRUCTURE:

Resources for building & maintaining a revitalized & community-led infrastructure to support harm reduction best practices & the needs of PWUD

- *Hire PWUD to inform policy at agencies that serve PWUD*
- *Co-leadership of PWUD & organizational partnership in research*
- *Promote education on the value of harm reduction services*

Q&A

Thank you!

Chad Sabora | chad@monetwork.org

Christine Rodriguez | crodriguez@aidsunited.org

From: "Lankford, David (NIH/OD) [E]" (b) (6)
To: "Henthorne, Betsy (OASG)" (b) (6) "McGarey, Barbara (HHS/OGC)" (b) (6)
"Iverson, Dena (PAO)" (b) (6)
Cc: "Pryor, Rachel (HHS/OS/IOS)" (b) (6) "Pierce-Wrobel, Clare (HHS/IOS)" (b) (6)
"Rucker, Ian (HHS/OGC)" (b) (6)
"Pierce, Julia (HHS/OGC)" (b) (6)

Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Date: Fri, 7 Oct 2022 20:06:47 +0000

Importance: Normal

I will send a zoom invitation for that time. The latest we've heard is that the press announcement is scheduled 10/12 or 10/13. I don't have an updated version of the press materials, and we'll try to get those to you before the call on Tuesday. If DOJ has any specific questions that it plans to raise with NIDA on Tuesday, it would be helpful to have them in advance of the call so that the NIDA officials can prepare to address them.

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NIH Legal Advisor
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Public Health Division, NIH Branch
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Bethesda, MD 20892-2111
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From: Henthorne, Betsy (OASG) (b) (6)
Sent: Friday, October 7, 2022 2:26 PM
To: Lankford, David (NIH/OD) [E] (b) (6) McGarey, Barbara (HHS/OGC) (b) (6)
Iverson, Dena (PAO) (b) (6)
Cc: Pryor, Rachel (HHS/OS/IOS) (b) (6) Pierce-Wrobel, Clare (HHS/IOS) (b) (6)
Rucker, Ian (HHS/OGC) (b) (6) Pierce, Julia (HHS/OGC) (b) (6)
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

I could talk at 1:30pm on Tuesday. When is this announcement planned for? And are there updated press materials?

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: Lankford, David (NIH/OD) [E] (b) (6)
Sent: Friday, October 7, 2022 11:33 AM
To: Henthorne, Betsy (OASG) (b) (6) McGarey, Barbara (HHS/OGC) (b) (6)
Iverson, Dena (PAO) (b) (6)
Cc: Pryor, Rachel (HHS/OS/IOS) (b) (6) Pierce-Wrobel, Clare (HHS/IOS) (b) (6)

(b) (6); Rucker, Ian (HHS/OGC) (b) (6) Pierce, Julia (HHS/OGC) (b) (6)

Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

The relevant NIDA officials are available next Tuesday from 1-4. Would anything in that range work for DOJ? If so, I will send a zoom invitation.

If DOJ has any specific questions that we can provide to NIDA in advance of the call, that could be helpful so that the NIDA officials can prepare to address those questions. Also, we are assuming that DOJ's questions relate to the NYU and RTI grants described in the summary that Barbara McGarey provided. If that's not the case, please let us know.

Thank you,

David W. Lankford
NIH Legal Advisor
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From: Henthorne, Betsy (OASG) (b) (6)
Sent: Friday, October 7, 2022 9:38 AM
To: Lankford, David (NIH/OD) [E] (b) (6) McGarey, Barbara (HHS/OGC)
(b) (6) Iverson, Dena (PAO) (b) (6)
Cc: Pryor, Rachel (HHS/OS/IOS) (b) (6) Pierce-Wrobel, Clare (HHS/IOS) (b) (6)
(b) (6) Rucker, Ian (HHS/OGC) (b) (6) Pierce, Julia (HHS/OGC) (b) (6)
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Thank you!

Betsy Henthorne | Chief of Staff
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From: Lankford, David (NIH/OD) [E] (b) (6)
Sent: Friday, October 7, 2022 8:47 AM
To: Henthorne, Betsy (OASG) (b) (6) McGarey, Barbara (HHS/OGC)
(b) (6) Iverson, Dena (PAO) (b) (6)
Cc: Pryor, Rachel (HHS/OS/IOS) (b) (6) Pierce-Wrobel, Clare (HHS/IOS) (b) (6)
(b) (6) Rucker, Ian (HHS/OGC) (b) (6) Pierce, Julia (HHS/OGC) (b) (6)
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Thank you. We are checking with the NIDA officials on their availability and will get back to you when we have that information.

David W. Lankford
NIH Legal Advisor

Florida23cv145 - 02131

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From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Thursday, October 6, 2022 9:52 PM
To: McGarey, Barbara (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)> Lankford, David (NIH/OD) [E]
<(b) (6)>
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Thanks very much, Barb, and sorry for the delay in responding. It would be great to speak with someone at NIDA. I could talk tomorrow (Fri 10/7) between 12:15-12:45 or 2:30-4. If those times don't work, we can try for Tuesday morning. (Dena doesn't need to join the call.)

Do we have a final rollout date set? And are there any updated press materials?

Thank you!

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Thursday, October 6, 2022 11:37 AM
To: Henthorne, Betsy (OASG) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)> Lankford, David (NIH/OD) [E]
<(b) (6)>
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Good morning,

I have attached some additional information, very quick and dirty, on the grants and some statutory requirements and appropriations language that may be informative. If it would be helpful to speak directly to an NIH NIDA contact about these awards, my colleague David Lankford can arrange this, and I've asked him to be the POC in my absence to pull it together. (I am out of the office today and tomorrow but can participate if something gets organized before Monday.)

Thanks all,

Barb

Barbara M. McGarey
Deputy General Counsel

HHS Office of the General Counsel

She/her/hers

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From: McGarey, Barbara (HHS/OGC)

Sent: Wednesday, October 5, 2022 4:10 PM

To: 'Henthorne, Betsy (OASG)' <(b) (6)> Iverson, Dena (PAO)' <(b) (6)>

Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) (b) (6) (b) (6)

Rucker, Ian (HHS/OGC) <(b) (6)>

Subject: RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Hi Betsy and Dena,

Just learned that the roll out is now planned for 10/12 or 13. Please let me know who can schedule you and I'll work on connecting with the relevant NIDA folks.

Best wishes,

Barb

Barbara M. McGarey

Deputy General Counsel

HHS Office of the General Counsel

She/her/hers

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From: McGarey, Barbara (HHS/OGC)

Sent: Tuesday, October 4, 2022 7:23 PM

To: 'Henthorne, Betsy (OASG)' <(b) (6)> Iverson, Dena (PAO) <(b) (6)>

Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) (b) (6) (b) (6)

Rucker, Ian (HHS/OGC) <(b) (6)>

Subject: RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Hi Betsy and Dena, apologies for the delay. The roll out is set for Oct. 6, and we will hopefully have final press documents in the morning that we can share.

We understand there is just one grant (out of 10 awarded) that contemplates the evaluation of a supervised consumption site and that site is in San Francisco, California. For awareness, the funding announcement for the award at issue is available here: <https://grants.nih.gov/grants/guide/rfa-files/RFA-DA-22-046.html>. Below is the description that will be published on the NIH's public grants database ([RePORTER](#)).

Abstract

PROJECT SUMMARY/ABSTRACT We propose to assess the Reach, Effectiveness, Adoption, Implementation,

Florida23cv145 - 02133

and Maintenance (RE-AIM) of existing and emerging harm reduction services designed to improve the health of people who inject or smoke illicit drugs in San Francisco, California. The major health complications associated with injecting or smoking heroin, fentanyl analogs, methamphetamine, and cocaine include overdoses and viral (e.g., HIV, hepatitis) and bacterial infections (e.g., skin and soft tissue infection and endocarditis). Steep increases in morbidity and mortality associated with drug use have motivated people in community-based organizations to conceptualize and implement innovative harm reduction interventions to thwart these health emergencies. The burgeoning HIV epidemic spawned syringe service programs (SSPs) in the late 1980s. Rising opioid overdose mortality spawned overdose education and naloxone distribution (OEND) in the late 1990s. The recent emergence of fentanyl analogs in the illicit drug market spawned fentanyl test strips (FTS), community-based Fourier-transform infrared spectroscopy drug checking (FTIR), and safe consumption sites (SCS). Now, the re-emergence of methamphetamine has spawned a methamphetamine sobering center opening in San Francisco in 2022. Given the staggered implementation of harm reduction services over the past 35 years, the state of the evidence base varies for each. The RE-AIM implementation science framework helps guide evaluations by considering their Reach, Effectiveness, Adoption, Implementation, and Maintenance. Our aims are as follows: Aim 1: Assess changes in and factors associated with equitable access to an array of harm reduction services for people who inject or smoke illicit drugs in San Francisco over time (Reach). Aim 2: Determine the effectiveness of existing and emerging harm reduction services in reducing drug-related harm among people who inject or smoke illicit drugs in San Francisco (Effectiveness). Aim 3: Explore Adoption, Implementation, and Maintenance of harm reduction services within community-based organizations over time (Adoption, Implementation, and Maintenance). To achieve Aims 1 and 2, we will recruit people who use drugs (PWUD) using targeted sampling into a serial cross-sectional study. In each of 4 years, a new sample (n=800) of PWUD will be recruited and surveys will ascertain access to and use of various existing and emerging harm reduction interventions and drug-related harm. To achieve Aim 3, we will conduct a serial cross-sectional qualitative study of staff (n=30 annually) at all community-based organizations that provide harm reduction services in San Francisco (currently n=10) to assess Adoption, Implementation, and Maintenance. Our proposed study will provide data on access to, implementation of, and impact of emerging and evolving harm reduction interventions designed to reduce drug-related harm, thereby helping US policymakers and service providers move effective services along the continuum toward scaled implementation and maintenance.

PUBLIC HEALTH RELEVANCE: Scientific evaluations play an important role in assessing whether emerging and existing harm reduction interventions are not only effective within real-world delivery contexts but also how implementation and equitable access can be improved. Our proposed project will assess the reach, effectiveness, adoption, implementation, and maintenance of six emerging and existing harm reduction services that have been or are about to be implemented in San Francisco, along with any new harm reduction services that emerge during our study period. This is critical as public health agencies, community-based organizations, and policy makers are trying to figure out how to tackle an overwhelming amount of health-related harm among people who use drugs in the United States.

Please let us know if you have questions,

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
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From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Monday, October 3, 2022 10:46 PM
To: McGarey, Barbara (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Thanks Barbara!

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From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Monday, October 3, 2022 5:48 PM
To: Henthorne, Betsy (OASG) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

I understand NIH is developing the updated press materials which we will get to you as soon as they are available. Working on the other bits of info and will get back shortly.

Barb

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From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Monday, October 3, 2022 2:47 PM
To: McGarey, Barbara (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Thanks Barbara. Removing Sara, who is no longer in her position here, and adding Dena in our Office of Public Affairs.

Appreciate your sending this; we will review. A few questions: Confirming this rollout is now scheduled for Thurs 10/6? Is there a press release or other materials you can share as well? My understanding is there is one grant for research related to a supervised consumption site and that site is in California—is that right?

Thank you,
Betsy

Betsy Henthorne | Chief of Staff
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From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Monday, October 3, 2022 12:45 PM
To: Henthorne, Betsy (OASG) <(b) (6)> Solow, Sara (ODAG) (b) (6)
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)>
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: [EXTERNAL] RE: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Trying again due to bounce back.

Barb

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(b) (6)
(b) (6) (cell)

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From: McGarey, Barbara (HHS/OGC)
Sent: Monday, October 3, 2022 12:10 PM
To: b6 Betsy Henthorne DOJ Email; b6 Betsy Henthorne DOJ Email; b6 Sara Solow DOJ Email; b6 Sara Solow DOJ Email
Cc: Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Pierce-Wrobel, Clare (HHS/IOS) (b) (6) (b) (6)
(b) (6) Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: NIH NIDA Harm Reduction Grant -- Expected Roll-out 10/6

Hi Betsy and Sara,

We wanted to alert you that NIH is planning the attached roll-out of its new harm reduction grants (which include research activities to evaluate opioid prevention centers, in light of the ongoing litigation in the Safehouse case. One important fact is that the NIH funding will support research evaluation activities only – the NIH funds will not be used for operational support of the centers nor are any of the funding recipients operators of opioid prevention centers.

Happy to discuss or answer questions as needed, and if a call is better let me know.

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
She/her/hers
(b) (6)
(b) (6) (cell)

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<< File: Harm Reduction Awards_QA_for clearance_9.26.22.docx >>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Iverson, Dena (PAO)" <(b) (6)>

Subject: FW: NIH Rollout

Date: Thu, 29 Sep 2022 01:08:02 -0000

Importance: Normal

Attachments: NIH_Rollout_Plan_Harm_Reduction_Grant_Awards_Announcement_9.23.22.docx;
NIDA_press_release_Harm_Reduction_Awards_9.23.22_for_clearance.docx;
Harm_Reduction_Awards_QA_for_clearance_9.26.22.docx;
NIH_Rollout_Plan_HR_Grant_Awards_Announcement_for_clearance_rm_FOR_CLEARA
NCE_2_092622.docx

FYA this is scheduled for Fri. Vanita will brief on it in the AM. WH is supposed to be telling HHS/NIH to reach out to us (me) re any questions they may get about our stance, but I haven't seen anything yet.

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: Kreisberg, Jeremy S. EOP/WHO (b) (6)

Sent: Tuesday, September 27, 2022 10:59 AM

To: Henthorne, Betsy (OASG) <(b) (6)>

Subject: [EXTERNAL] NIH Rollout

Betsy,

Here are NIH comms materials we received.

Thanks,
Jeremy

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Henthorne, Betsy (OASG)" <(b) (6)>

Subject: Notes

Date: Wed, 28 Sep 2022 23:46:56 +0000

Importance: Normal

1. NIH is announcing new awards tomorrow (Fri 9/30) as part of a grant program to study harm reduction policies and programs (e.g., needle exchanges)
2. One of those grants will be to RTI International to study a number of harm reduction interventions, including a supervised consumption site operating in San Francisco
3. This site has been operating for years as an "underground" site in an undisclosed location. RTI has been studying the site for years and has published research showing positive outcomes on a number of metrics, including lower frequency of 911 calls in the area, ADD MORE
4. The site has been in operation, research has been happening, the only change now is the federal government will be finding that research
5. The NIH funding is unrelated to the operation of the site and is for research only
6. Supporting this research aligns with the guardrails we are considering, which include a requirement that any site have a research element, to help us, and other policymakers, learn more about whether and how supervised consumption sites are effective
7. We expect press inquiries once this is public. We will continue to use the statement we first issued in February, which indicates we are exploring guardrails for safe operation of supervised consumption sites but can comment further given the pending litigation in Philadelphia.
8. We are also working with HHS/NIH to be sure they are equipped to defer any questions about the litigation or what their actions might suggest about DOJ's stance on these issues

Sent from my iPhone

From: "Bluestein, Jenna P. EOP/ONDCP" (b) (6)
To: "Grippando, Hester C. EOP/OMB" (b) (6), "Schubel,
Jessica L. EOP/WHO" (b) (6), "Tanielian, Terri L. EOP/WHO"

(b) (6)

(b) (6) (b) (6) (b) (6) (b) (6)

"Richard.S.Cho@hud.gov" <Richard.S.Cho@hud.gov>

Cc: "Connolly, Beth A. EOP/ONDCP" (b) (6)
Gerard (Peter) P. EOP/ONDCP" <(b) (6)>
Christopher D. (SAMHSA/OIEA) (b) (6)
(b) (6) "Holtgrave, David R. EOP/ONDCP"
(b) (6) "Lunstead, Julie (HRSA)" (b) (6)
"Johnson, Christian E. EOP/ONDCP" (b) (6)

Subject: [EXTERNAL] Kick-off Call: Harm Reduction Interagency Working Group

Date: Fri, 23 Sep 2022 14:05:13 +0000

Importance: Normal

Attachments: Harm_reduction_IWG_overview_and_plan.docx

Hi all,

You should have all received an updated calendar invitation with the harm reduction IWG overview and plan (also attached here) and an agenda. Please note on the agenda that the second half of the meeting will be dedicated to an external presentation from two members of the SAMHSA harm reduction steering committee who have been working on a harm reduction framework to guide our federal work. They will provide an overview of the framework's harm reduction principles and practices so we can all have a shared understanding and vision as we move forward with the IWG tasks.

The IWG tasks are laid out in the attached document—I will go over each topic area and its associated tasks during Monday's call, though we will continue that conversation in a subsequent meeting to ensure time for everyone to give feedback and input. I will follow up to schedule that second meeting soon.

Have a nice weekend,
Jenna

Jenna Bluestein
Policy Analyst
Office of National Drug Control Policy
Executive Office of the President

(b) (6)

(b) (6)

<https://www.whitehouse.gov/ondcp/>

From: "Bluestein, Jenna P. EOP/ONDCP" <Jenna.P.Bluestein@ondcp.eop.gov>

To: "Grippando, Hester C. EOP/OMB" (b) (6), "Schubel, Jessica L. EOP/WHO" (b) (6), "Tanielian, Terri L. EOP/WHO"

(b) (6)

"Richard.S.Cho@hud.gov" <Richard.S.Cho@hud.gov>

Cc: "Connolly, Beth A. EOP/ONDCP" (b) (6), "Gaumond, Gerard (Peter) P. EOP/ONDCP" (b) (6), "Carroll, Christopher D. (SAMHSA/OIEA)" (b) (6), Katie Jennings (b) (6), "Holtgrave, David R. EOP/ONDCP" (b) (6), "Lunstead, Julie (HRSA)" (b) (6), "Johnson, Christian E. EOP/ONDCP" (b) (6)

Subject: [EXTERNAL] Kick-off Call: Harm Reduction Interagency Working Group

Date: Fri, 23 Sep 2022 13:58:26 +0000

Importance: Normal

Attachments: unnamed; Harm_reduction_IWG_overview_and_plan.docx

ONDCP Harm Reduction Interagency Working Group
Kick-off Meeting Agenda
September 26, 2022

1. Welcome (5) – ONDCP/Jenna Bluestein
2. Introductions (15) – All
3. Overview of subgroups and tasks (20) – Jenna Bluestein/All
4. Break (5)
5. Overview of harm reduction framework (45) – Christina Rodriguez and Chad Sabora (SAMHSA Harm Reduction Steering Committee Members)

Hi all,

Thank you for providing your availability for this call on the Doodle poll. This date and time allowed for the most agencies to participate this time around—my apologies to those who are unable to make it. If you are free for any portion of the 90 minute meeting, please feel free to jump on for part of the call. I will follow up soon with pre-meeting materials and an agenda. Please reach out if you have any questions. Look forward to “seeing” you soon!

Best,
Jenna

From: "Solow, Sara (ODAG)" <(b) (6)>

To: "Kent, Robert A. EOP/ONDCP" (b) (6)

Cc: "Boyd, Tona M. EOP/WHO" (b) (6), "Kreisberg, Jeremy S. EOP/WHO" (b) (6), "Lifshitz, Mariel (OJP)" (b) (6), "Henthorne, Betsy (OASG)" <(b) (6)>

Subject: Re: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Date: Wed, 10 Aug 2022 13:29:45 -0000

Importance: Normal

Inline-Images: image001.jpg; image001(1).jpg

Hi Rob - and Tona and Jeremy,

The folks on this chain would be happy to participate.

Mariel Lifshitz- Office of Justice Programs
Betsy Henthorne- OASG, chief of staff
Sara Solow - ODAG

Thank you!

Sara

Sent from my iPhone

On Aug 3, 2022, at 4:07 PM, Kent, Robert A. EOP/ONDCP (b) (6) wrote:

Hi Sara:

Hope all is good. See below. Thoughts on who should be included?

Robert A. Kent, JD
General Counsel
White House Office of National Drug Control Policy
1800 G Street, NW
Room 9027
(b) (6)
Office (b) (6)
Cell: (b) (6)



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From: Bluestein, Jenna P. EOP/ONDCP (b) (6)
Sent: Wednesday, August 3, 2022 4:03 PM
To: Kent, Robert A. EOP/ONDCP (b) (6)
Subject: Contact at DOJ to participate in harm reduction IWG?

Hi Rob,

I'm beginning to send out invites for participation in an interagency working group on harm reduction, and Beth suggested that you might have a good contact for us at DOJ/OJP to invite? The main goals of the working group will be to examine reimbursement and federal grant funding for harm reduction. There will also be a research component.

Please let me know if any additional information would be helpful. Thanks!

Jenna

Jenna Bluestein
Policy Analyst
Office of National Drug Control Policy
Executive Office of the President

(b) (6)

(b) (6)

<https://www.whitehouse.gov/ondcp/>



From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Lifshitz, Mariel (OJP)" (b) (6), "Cohen, Brent (OJP)" (b) (6)

Cc: "Pride Jr, Theron P. (OASG)" (b) (6)

Subject: RE: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Date: Wed, 10 Aug 2022 02:13:41 +0000

Importance: Normal

Inline-Images: image001.jpg

Thanks Mariel! Will loop you in with ODAG.

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: Lifshitz, Mariel (OJP) (b) (6)

Sent: Tuesday, August 9, 2022 10:24 AM

To: Cohen, Brent (OJP) (b) (6); Henthorne, Betsy (OASG) <(b) (6)>

Cc: Pride Jr, Theron P. (OASG) (b) (6)

Subject: RE: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Thank you, Brent.

Hi Betsy – I look forward to joining this IWG on behalf of OJP/DOJ. Please let me know if you need anything from me at this point.

Mariel

From: Cohen, Brent (OJP) (b) (6)

Sent: Tuesday, August 9, 2022 10:18 AM

To: Henthorne, Betsy (OASG) <(b) (6)>

Cc: Pride Jr, Theron P. (OASG) (b) (6); Lifshitz, Mariel (OJP) (b) (6)

Subject: RE: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Sorry for the delay, Betsy. Adding Mariel here.

Mariel – please see the email exchange below. ONDCP is looking for a DOJ participant for an interagency working group meeting on harm reduction. OASG reached out to OJP, and I put your name forward given the subject matter. Connecting you with OASG's Chief of Staff, Betsy Henthorne.

Thank you both,
Brent

From: Henthorne, Betsy (OASG) <(b) (6)>

Sent: Monday, August 8, 2022 3:19 PM

To: Cohen, Brent (OJP) (b) (6)

Cc: Pride Jr, Theron P. (OASG) <(b) (6)>

Subject: RE: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Perfect—yes, that would be great! Thanks Brent.

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: Cohen, Brent (OJP) (b) (6)
Sent: Sunday, August 7, 2022 11:12 PM
To: Henthorne, Betsy (OASG) <(b) (6)>
Cc: Pride Jr, Theron P. (OASG) (b) (6)
Subject: Re: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Hi Betsy,

Mariel Lifshitz, a senior advisor in our office, is our SME on all things related to substance use and mental health. She'd be great for this IWG.

Let me know if you'd like me to connect her with you directly.

Thanks,
Brent

On Aug 7, 2022, at 9:43 PM, Henthorne, Betsy (OASG) <(b) (6)> wrote:

Brent – see below. Can you help identify someone(s) from OJP who could participate in this working group? Thanks!

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: Solow, Sara (ODAG) <(b) (6)>
Sent: Wednesday, August 3, 2022 4:19 PM
To: Folk, Anders (ODAG) <(b) (6)> Henthorne, Betsy (OASG) <(b) (6)>
Subject: Fwd: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Can we discuss? Probably someone from OJP, given the focus on grant funding, and maybe OASG?

Sent from my iPhone

Begin forwarded message:

From: "Kent, Robert A. EOP/ONDCP" (b) (6)
Date: August 3, 2022 at 4:07:29 PM EDT
To: "Solow, Sara (ODAG)" <(b) (6)>
Cc: "Boyd, Tona M. EOP/WHO" <(b) (6)> "Kreisberg, Jeremy S. EOP/WHO" (b) (6)
Subject: [EXTERNAL] FW: Contact at DOJ to participate in harm reduction IWG?

Hi Sara:

Hope all is good. See below. Thoughts on who should be included?

Robert A. Kent, JD
General Counsel
White House Office of National Drug Control Policy
1800 G Street, NW
Room 9027

(b) (6)

Office: (b) (6)

Cell: (b) (6)



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Duplicative Records

From: "Suero, Maya A. (ODAG)" (b) (6)

To: "Gamble, Nathaniel (ODAG)" (b) (6)

Subject: FW: Safe injection site meeting tomorrow - for DAG

Date: Tue, 12 Jul 2022 15:49:50 -0000

Importance: Normal

Attachments: Cover_Memo_for_DAG_-_safehouse_update_7-12022.docx;
SCS_Memo_with_attachments_(003).pdf

Maya Suero

Special Assistant
Office of the Deputy Attorney General
Phone: (b) (6)

From: Solow, Sara (ODAG) <(b) (6)>

Sent: Tuesday, July 12, 2022 11:45 AM

To: Suero, Maya A. (ODAG) (b) (6); Stamper, Gwendolyn A. (ODAG)

(b) (6); Chandler, Adam (ODAG) (b) (6); Bruck, Andrew (ODAG)

(b) (6); Toomey, Kathleen (ODAG) (b) (6)

Cc: Brockman, Audrey (ODAG) <(b) (6)> Folk, Anders (ODAG) <(b) (6)>

Subject: Safe injection site meeting tomorrow - for DAG

Dear Maya (and others),

Attached are prep materials for the DAG's meeting tomorrow, on safe injection sites, with OASG and ODAG staff. There is a brief cover memo from me, which I ran by Anders and the PADAG, and then the larger memo from OASG.

I advise these go in her book tonight, and that the PADAG also have a copy, please.

Thank you
Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: (b) (6) (b) (6)
Sent: 11/16/2022 5:32:42 PM
To: Netter, Brian (CIV) (b) (6)
(b) (6) (b) (6)
Subject: Re: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Thanks!

Sent from my iPhone

On Nov 16, 2022, at 4:36 PM, Netter, Brian (CIV) <(b) (6)> wrote:

I can reach out to her, sure.

Brian D. Netter
Deputy Assistant Attorney General
Civil Division
U.S. Department of Justice
(b) (6) (m)

From: Baer, Michael H. (CIV) <(b) (6)>
Sent: Wednesday, November 16, 2022 2:48 PM
To: Netter, Brian (CIV) <(b) (6)>
Subject: FW: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Brian,

As reflected below, Barb McGarey at HHS has reached out to find some DOJ POCs for advice to the National Institute of Drug Abuse on harm reduction grants. (b) (5)

Thanks!

Best,
Michael

From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Wednesday, November 16, 2022 1:55 PM
To: Boynton, Brian M. (CIV) <(b) (6)> Baer, Michael H. (CIV) <(b) (6)>
Subject: Fwd: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Brian and Michael—see below. (b) (5)

Begin forwarded message:

From: "McGarey, Barbara (HHS/OGC)" <(b) (6)>
Date: November 16, 2022 at 1:46:08 PM EST
To: "Henthorne, Betsy (OASG)" <(b) (6)>
Cc: "Rucker, Ian (HHS/OGC)" <(b) (6)> "Iverson, Dena (PAO)" <(b) (6)> "Pierce-Wrobel, Clare (HHS/IOS)" (b) (6) (b) (6)
>
Subject: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Hi Betsy, just following up on this issue – I think we left our meeting that you would

(b) (5)

Let me know if there is anything you need from us or if we can help.

Thanks,

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
She/her/hers
(b) (6)
(b) (6) (cell)

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From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Thursday, October 27, 2022 1:04 PM
To: Henthorne, Betsy (OASG) <(b) (6)>
Cc: Rucker, Ian (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Hi Betsy,

There have been some further developments on the NIDA Harm Reduction grants, which may warrant another discussion with NIDA. Could I call you today or tomorrow to touch base?

Today I can do now until 1:30, 2-2:30, and 3 pm or after.
Tomorrow I can do anytime before noon, and then 3 pm or after.

My cell is below or let me know the best number to reach you on. Many thanks,

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
She/her/hers

(b) (6)

(b) (6) (cell)

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From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Tuesday, October 18, 2022 9:07 PM
To: McGarey, Barbara (HHS/OGC) <(b) (6)>
Cc: Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)> Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Rucker, Ian (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: RE: Coordination with DOJ on NIH's Harm Reduction Awards

Thanks Barb, and sorry for the delay.

We propose adding to the Q&A document the following:

(b) (5)

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Tuesday, October 18, 2022 8:43 AM
To: Henthorne, Betsy (OASG) <(b) (6)>
Cc: Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)> Pryor, Rachel (HHS/OS/IOS) <(b) (6)> Rucker, Ian (HHS/OGC) <(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: [EXTERNAL] RE: Coordination with DOJ on NIH's Harm Reduction Awards

Good morning Betsy and Dena,

We are finalizing the materials in preparation for roll-out; just checking in to see if you have any other questions or comments.

Many thanks,

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
She/her/hers

(b) (6)

(b) (6) (cell)

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From: Henthorne, Betsy (OASG) <(b) (6)>
Sent: Sunday, October 16, 2022 9:02 PM
To: McGarey, Barbara (HHS/OGC) <(b) (6)>
Cc: Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)> Pryor, Rachel
(HHS/OS/IOS) <(b) (6)> Rucker, Ian (HHS/OGC)
<(b) (6)> Iverson, Dena (PAO) <(b) (6)>
Subject: RE: Coordination with DOJ on NIH's Harm Reduction Awards

Thanks Barb—very helpful and thanks for the meeting last week.

Betsy Henthorne | Chief of Staff
Office of the Associate Attorney General
office: (b) (6)
mobile: (b) (6)

From: McGarey, Barbara (HHS/OGC) <(b) (6)>
Sent: Thursday, October 13, 2022 12:16 PM
To: Henthorne, Betsy (OASG) <(b) (6)>
Cc: Pierce-Wrobel, Clare (HHS/IOS) <(b) (6)> Pryor, Rachel
(HHS/OS/IOS) <(b) (6)> Rucker, Ian (HHS/OGC) <(b) (6)>
Subject: [EXTERNAL] FW: Coordination with DOJ on NIH's Harm Reduction Awards

Hi Betsy,

Attached are the draft roll-out documents, close hold. I understand NIH is aiming for release on 10/20. I hope the meeting with NIDA was productive, and let me know if you have any other questions.

Best wishes,

Barb

Barbara M. McGarey
Deputy General Counsel
HHS Office of the General Counsel
She/her/hers

(b) (6)

(b) (6) (cell)

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PORTFOLIO AREA UPDATES

FROM: W. Anders Folk

SUBJECT: Updates on DEA and Drug Policy

DATE: February 4, 2022

Non-responsive Records

Priority Initiative: Safe Injection Sites – DOJ Policy	
ODAG POC(s): Sara Solow	Component(s): OASG (and others)
Target Completion Date: March 1, 2022	Status: On track
Next Step: Engagement meetings with DOJ components, HHS, external experts	Next Step Deadline: Late-February, OASG to draft proposed criteria for policy
Notes: OASG has taken the lead, working in close coordination with Sara (at ODAG), at spearheading a series of engagement meetings on safe injection sites. The goal is to incorporate the best knowledge and input from across DOJ, health community, researchers, etc., on these sites. OASG to propose a template of criteria for potential non-enforcement (i.e., local regulatory regime, licensing, inspections, public safety plan). Goal is for ODAG and then leadership sign off of the policy by early March. Meanwhile, we've had discussions with parties in Philadelphia, Rhode Island, and NYC/NY, to lay the groundwork towards achieving these objectives.	

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Nam, Julius (OLP)" <(b) (6)>
<(b) (6)>

Subject: RE: [EXTERNAL] letter

Date: Tue, 28 Dec 2021 16:52:38 +0000

Importance: Normal

Thank you Julius (and nice to meet you!)—this is extremely helpful.

Betsy Henthorne | Counsel

Office of the Associate Attorney General

office: (b) (6)

mobile: (b) (6)

From: Nam, Julius (OLP) <(b) (6)>

Sent: Tuesday, December 28, 2021 11:44 AM

To: Solow, Sara (ODAG) <(b) (6)>

Cc: Henthorne, Betsy (OASG) <(b) (6)>

Subject: Re: [EXTERNAL] letter

Hi Sara,

Happy holidays to you as well. I can take a closer look and provide a more detailed feedback with citations next week, but I note that (b) (5)

Again, happy to provide more detailed feedback next week as needed.

Julius

Julius J. Nam

(b) (6)

On Dec 27, 2021, at 21:25, Solow, Sara (ODAG) <(b) (6)> wrote:

Dear Julius,

Hi there! Happy holidays. When you're online and have some bandwidth, can you check out (b) (5) and let us know how it squares with the broader literature review you did on this issue?

Thank you!

Sara

Sent from my iPhone

Begin forwarded message:

From: "Folk, Anders (ODAG)" (b) (6)
Date: December 27, 2021 at 6:32:15 PM EST
To: "Singh, Anita M. (ODAG)" (b) (6)
Cc: "Lin, Frank (ODAG)" (b) (6), "Solow, Sara (ODAG)" <(b) (6)>
Subject: Fwd: [EXTERNAL] letter

Hi Anita -

Passing along for situational awareness the attached letter and below email from the National Narcotics Officers Association. It is addressed to the AG (and POTUS) but touches on issues we've been looking at related to safe injection sites.

Anders

Begin forwarded message:

From: "Kueter, Dean (OLA)" (b) (6)
Date: December 27, 2021 at 2:55:50 PM PST
To: "McKay, Shirley A (OLA)" (b) (6)
Cc: "Hyun, Peter (OLA)" (b) (6), "Folk, Anders (ODAG)" (b) (6), "Matthews-Johnson, Tamarra D. (OAG)" (b) (6), "Calce, Christina M. (OLA)" (b) (6), "Kassabian, Tamara (OLA)" (b) (6), "Stamos, Theophani K. (OLA)" (b) (6), "Stoika, Dennis (OLA)" (b) (6)
Subject: Fwd: [EXTERNAL] letter

Hi!

I'm passing along a letter for the AG that I received from the National Narcotics Officers Association. It's regarding safe injection sites that are being proposed for the San Francisco Bay Area.

Thanks,

Dean M. Kueter, Jr.
USDOJ—State and Local Law Enforcement Coordination Section

(o)(b) (6)
(c)(b) (6)

Begin forwarded message:

From: Bob Bushman <bbushman@nnoac.com>

Date: December 23, 2021 at 13:38:56 EST

To: "Kueter, Dean (OLA)" (b) (6)

Subject: [EXTERNAL] letter

Dean,

Will you please see that the attached letter from the NNOAC finds its way to AG Garland? It is in regard to the situation in San Francisco where the Mayor and City Supervisors are planning to open drug consumption/injection sites, which we believe violate federal laws. Given the increase in drug overdose deaths and crime in San Francisco and many other cities, the NNOAC does not believe that is not a plan that will improve or enhance public safety, nor will it reduce crime or drug-related deaths. I will also be sending the letter to Pres. Biden at the White House.

Please contact me if you have any questions.

My best wishes to you for a Merry Christmas and a safe, healthy and happy New Year, too.

Bob Bushman

President,

National Narcotic Officers' Associations' Coalition

455 Massachusetts Avenue NW, #112

Washington, DC 20001

bbushman@nnoac.com

(b) (6)

From: "Folk, Anders (ODAG)" (b) (6)

To: b(6), b(7)(C), b(7)(F) per DEA

Subject: FW: [EXTERNAL] letter

Date: Tue, 28 Dec 2021 14:42:01 -0000

Importance: Normal

Attachments: NNOAC_letter.Biden.Garland.12222021.pdf

b(6), b(7)(C), b(7)(F)

Just to keep DEA looped in on/situational awareness. I received the below email string and attached letter regarding safe injection sites. I've circulated internally within ODAG and thought your folks may want to see it too.

Duplicative Records



NATIONAL NARCOTIC OFFICERS' ASSOCIATIONS' COALITION

455 Massachusetts Avenue NW, Box 112, Washington, DC 20001

www.nnoac.com

December 22, 2021

President Joe Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Merrick Garland
U.S. Attorney General
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear President Biden and Attorney General Garland,

The National Narcotic Officers' Associations' Coalition (NNOAC) represents our nation's State Narcotic Officers' Associations and their thousands of members. We join our colleagues at the California Narcotic Officers Association (CNOA) in opposing the plan by San Francisco Mayor London Breed and the San Francisco Supervisors to establish drug consumption sites in San Francisco. Not only are such sites illegal, but they will also draw more drug abusers, criminals, and crime into the areas where they will be allowed to operate. Crime and drug deaths will increase at the expense of decreased public safety.

Last week, I saw several videos and news articles regarding Mayor Breed's comments about getting tougher on the crime that is plaguing her city and its residents. While I applaud those efforts, it will be difficult for crime fighting efforts to succeed if San Francisco proceeds with plans to fund and operate drug consumption sites in their city. That will be an invitation to for more drug abusers and criminals to come to San Francisco at a time when the city cannot protect its businesses and citizens from the crime it is currently experiencing.

The terms "safe consumption site" and "safe injection site" are misnomers – using or injecting illegal drugs is never safe, as evidenced by the plan to include monitors at the consumption sites to supervise drug use. If drug consumption sites will be safe, why are monitors needed? Enabling and pandering to drug users does nothing to decrease drug abuse, save lives or improve public safety.

Proponents' claims that consumption sites will reduce drug overdose deaths are simply not true. An in-depth review of statistics from other cities and countries that have experimented with consumption/injection sites reveal significant increases in drug deaths, drug abuse and crime. For example, the British Columbia Coroners Services reported that, after eighteen years of operations of such a site in Vancouver, there was about a 1,000% increase in drug overdose deaths, rising from 172 to 1723. Now the vicinity of the Vancouver injection site has

become a center of drug trafficking, drug use, and criminal activities. Only a small percentage of the drug users use the injection site regularly, while most drug users ignore the injection site, defeating the intended purpose.

The situation is similar in Australia and Europe. According to the European Center for Monitoring Drugs and Drug Addiction (EMDDA), overdose drug deaths doubled five years after the introduction of injection sites in the Netherlands and they were more than double again, twenty years later. Only seven of the 49 European Countries have injection sites, numbering around 75, mostly in the Netherlands and Portugal, and they too, report problems of attracting drug users, drug trafficking and criminal activity. These are not success stories.

Another reason for concern is the recent announcement that over 100,000 people in America lost their lives to drug poisonings and overdoses during the past year. Many thousands more succumbed to addiction or were victims of drug-fueled violent crime. And those numbers are still increasing. That is inexcusable, and our NNOAC members and partners believe that many of those deaths are preventable. Our Country can decrease drug abuse to avoid many of those deaths. We have done it before, but it requires bold initiative and a firm resolve. Yet, while most of our nation's drug policy is aimed at drug addiction and treatment, it seems to disregard the role that vigorous support and enforcement of drug laws contribute to reducing drug availability, an important factor that can prevent people from becoming addicted in the first place.

Allowing consumption sites to operate will not result in reducing drug abuse, addiction, or deaths. As proven in the other places, those numbers will increase, posing even greater threats to our citizens. Even though we have enacted federal drug laws to protect our citizens, as San Francisco moves ahead with their consumption site program in violation of those laws, we see no visible effort on the part of our government to prevent them from doing it. Why are San Francisco and other cities free to disregard the law? Maybe the better question is, what laws will they choose to ignore tomorrow?

Drug consumption sites will further compromise public safety at a time when many law enforcement agencies are stretched beyond their capacity. Drug users pose significant risks to the health and safety of the law enforcement officers, EMS workers, and medical personnel that respond to deal with persons that are under the influence of dangerous drugs. Consumption sites are also a magnet for many of the behaviors that increase instances of COVID infections due to the latest variant. We should learn from the grim facts of the Vancouver injection site, which, according to reports there, has the highest COVID infection rate in all of western Canada. Cities like San Francisco, beleaguered by drug abuse and crime, should implement programs that will improve, not decrease, the quality of life and safety that their citizens deserve, that businesses seek, and visitors expect.

All levels of government have a responsibility to do much more to prevent the deaths of so many people each year from drug abuse. The NNOAC urges you to enforce our federal drug laws, and to prevent San Francisco and other cities from putting more Americans at risk of addiction and death due to government sanctioned drug abuse through their illegal drug consumption and drug injection site programs.

Sincerely,



Bob Bushman
President, NNOAC

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Colangelo, Matthew (OASG)" (b) (6)

Subject: RE: Overdose Prevention Sites (OPS)

Date: Mon, 27 Dec 2021 16:46:30 -0000

Importance: Normal

Attachments: 2021.12.27_OPS_Engagement_and_Timeline_v2_redline.docx

In case you weren't getting enough emails this week, I'm here to help. Attached is redline showing all of today's updates.

From: Henthorne, Betsy (OASG)

Sent: Monday, December 27, 2021 11:40 AM

To: Colangelo, Matthew (OASG) (b) (6)

Subject: FW: Overdose Prevention Sites (OPS)

I updated a few things in this version—redline attached in case you've already reviewed.

From: Henthorne, Betsy (OASG)

Sent: Monday, December 27, 2021 11:37 AM

To: Gupta, Vanita (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6)

Subject: Overdose Prevention Sites (OPS)

Vanita – attached is the proposed OPS engagement plan I mentioned on the huddle this morning, which I sent to Matthew last week right before the holiday. Note this is written from me to you/Matthew and (b) (5). Happy to discuss with one or both of you whenever convenient.

And here is the blurb about where things stand with (b) (5). Let me know if you'd like more detail or have questions.

- (b) (5)

Betsy Henthorne | Counsel

Office of the Associate Attorney General

office: (b) (6)

mobile: (b) (6)

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Gupta, Vanita (OASG)" (b) (6)

Cc: "Colangelo, Matthew (OASG)" (b) (6)

Subject: RE: Overdose Prevention Sites (OPS)

Date: Mon, 27 Dec 2021 16:44:01 -0000

Importance: Normal

Attachments: 2021.12.27 OPS_Engagement_and_Timeline_v2.docx

Please use this version!

Duplicative Records

From: "Colangelo, Matthew (OASG)" (b) (6)

To: "Henthorne, Betsy (OASG)" (b) (6)

Subject: RE: engagement process

Date: Thu, 23 Dec 2021 03:59:55 +0000

Importance: Normal

Thanks very much, will look fwd to discussing

From: Henthorne, Betsy (OASG) (b) (6)

Sent: Wednesday, December 22, 2021 9:53 PM

To: Colangelo, Matthew (OASG) (b) (6)

Subject: engagement process

Matthew – attached please find a proposal for agency/stakeholder engagement on Overdose Prevention Sites (aka safe injection sites aka harm reduction centers aka...). Happy to discuss once you've had a chance to review. I have not yet run this by Sara, though this tracks with the general plan we've been discussing so I don't anticipate her having any major concerns.

Thanks!

Betsy

Betsy Henthorne | Counsel

Office of the Associate Attorney General

office: (b) (6)

mobile: (b) (6)

From: "Solow, Sara (ODAG)" <(b) (6)>

To: "Wong, Norman (USAEO)" (b)(6),(b)(7)(C) per EOUSA

Cc: (b)(6),(b)(7)(C) per EOUSA (USAEO)" (b)(6),(b)(7)(C) per EOUSA (b)(6),(b)(7)(C) per EOUSA (USAEO)"
(b)(6),(b)(7)(C) per EOUSA, "Lan, Iris (ODAG)" (b) (6), "Henthorne, Betsy
(OASG)" <(b) (6)> "Colangelo, Matthew (OASG)"
(b) (6)

Subject: RE: SAN FRANCISCO MAYOR DECLARES STATE OF EMERGENCY IN THE
TENDERLOIN

Date: Mon, 20 Dec 2021 14:42:41 +0000

Importance: Normal

Norm,

Thank you for flagging. I am looping Matthew and Betsy from OASG.

Regarding safe injection sites – the Dept has not filed anything to indicate changing course in *Safehouse*, but we are considering a range of options regarding how to proceed with respect to the sites being proposed in Rhode Island and those that are apparently now operating in NYC. We've asked the USAOs in D-RI and D-SDNY to help take the lead. For San Francisco, we are going to need a similar strategy.

I think it would be very helpful for us to connect with you, at EOUSA, so that we can share our current approach/thinking on this.

And I think we'll need to reach out to ND Cal soon.

Would folks like to circle up later today to connect? I have a window from 1:30-4.

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: Wong, Norman (USAEO) (b)(6),(b)(7)(C) per EOUSA

Sent: Sunday, December 19, 2021 9:24 AM

To: Solow, Sara (ODAG) <(b) (6)>

Cc: (b)(6),(b)(7)(C) per EOUSA (USAEO) (b)(6),(b)(7)(C) per EOUSA (b)(6),(b)(7)(C) per EOUSA (USAEO) (b)(6),(b)(7)(C) per EOUSA; Lan, Iris (ODAG)
(b) (6)

Subject: Fwd: SAN FRANCISCO MAYOR DECLARES STATE OF EMERGENCY IN THE TENDERLOIN

Hi Sara,

Please see below from the NDCA. Are you aware of any impending changes to the Department's "no position" on safe injection sites? Thanks.

Norm

Norman Wong
Principal Deputy Director

From: Hinds, Stephanie (USACAN) (b)(6),(b)(7)(C) per EOUSA
Sent: Saturday, December 18, 2021 6:43:27 PM
To: Lan, Iris (ODAG) (b) (6)
Cc: Wong, Norman (USAEO) (b)(6),(b)(7)(C) per EOUSA
Subject: SAN FRANCISCO MAYOR DECLARES STATE OF EMERGENCY IN THE TENDERLOIN

Iris and Norm,

Happy Holidays. I wanted to put this on the DAG's and EOUSA's radar. As you may have heard, the Mayor of San Francisco issued a Proclamation Declaring a State of Emergency the Tenderloin District yesterday in an attempt to address the rise in overdose deaths due to fentanyl. (Copies of the declaration and the press release are attached)

The Mayor held a press conference yesterday announcing this proclamation. Below are a few things to note about the declaration:

- o The declaration of emergency will free up funds for a variety of things including generators and lights on problematic corners, safe injection sites, and police overtime/resources.
- o The Board of Directors must affirm the declaration by a vote of at least 8/11 within 7 days; a meeting will be scheduled for next week. (b)(6),(b)(7)(C) thinks 6 supervisors are on board; they are working to secure 2 more votes.
- o If affirmed, the declaration will be in effect for 90 days, with the option to do additional declarations of emergency thereafter.
- o To the extent contracts are entered into pursuant to the emergency declaration, those contracts will still be submitted to the Board of Supervisors for formal approval on the normal 3-6 mo. cycle.

We anticipate that this will be a prelude to the opening of a safe injection site in San Francisco and again am curious whether the department is likely to provide any additional guidance on this issue. I look forward to hearing from you.

Best,
Stephanie

From: "Henthorne, Betsy (OASG)" <(b) (6)>
To: "Gupta, Vanita (OASG)" (b) (6)
Cc: "Colangelo, Matthew (OASG)" (b) (6), "Motzkin, Leah (OASG)" (b) (6), "Sooknanan, Sparkle (OASG)" (b) (6), "Wolfson, Paul (OASG)" (b) (6), "Rossi, Rachel (OASG)" (b) (6)

Subject: FW: Safe Injection Site Memo - updated - FOR DAG and other principals

Date: Wed, 08 Dec 2021 20:33:12 -0000

Importance: Normal

Attachments: Cover_Memo_-_Safe_Injection_Sites_-_for_DAG_and_OASG_-_updated_12-8-21.docx

Embedded: unnamed

Vanita – attached is an updated safe injection sites memo, in anticipation of tomorrow's meeting with the DAG. The updates cover what I sent you last night via email (also attached).

From: Solow, Sara (ODAG) <(b) (6)>
Sent: Wednesday, December 8, 2021 1:21 PM
To: Suero, Maya A. (ODAG) (b) (6); Lin, Frank (ODAG) (b) (6); Singh, Anita M. (ODAG) (b) (6); Simms, Donna Y. (ODAG) (b) (6); Brockman, Audrey (ODAG) (b) (6)
Cc: Henthorne, Betsy (OASG) <(b) (6)> b(6), b(7)(C), b(7)(F) per DEA Folk, Anders (ODAG) (b) (6); b(6), b(7)(C), b(7)(F) per DEA
Subject: Safe Injection Site Memo - updated - FOR DAG and other principals

Dear Maya,

Attached is an updated briefing memo, for DAG/Vanita/John, for the safe injection sites meeting tomorrow, from ODAG and OASG (me and Betsy). Similar to what was provided last week, with all updates noted in yellow.

I am also providing for DEA.

I think I've captured all folks for the meeting tomorrow.

Thank you!

Sara

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: "Suero, Maya A. (ODAG)" (b) (6)

To: "Solow, Sara (ODAG)" <(b) (6)> "Lin, Frank (ODAG)"
(b) (6), "Singh, Anita M. (ODAG)" (b) (6), "Simms,
Donna Y. (ODAG)" (b) (6), "Brockman, Audrey (ODAG)"
(b) (6)

Cc: "Henthorne, Betsy (OASG)" <(b) (6)> (b)(6), b(7)(C), b(7)(F) per DEA
(b)(6), b(7)(C), b(7)(F) per DEA @dea.gov>, "Folk, Anders (ODAG)" (b) (6)
b(6), b(7)(C), b(7)(F) per DEA

Subject: RE: Safe Injection Site Memo - updated - FOR DAG and other principals

Date: Wed, 8 Dec 2021 18:25:12 +0000

Importance: Normal

Thank you very much.

Best,

Maya Suero
Special Assistant
Office of the Deputy Attorney General
Phone: (b) (6)

Duplicative Records

From: "Henthorne, Betsy (OASG)" <(b) (6)>

To: "Solow, Sara (ODAG)" <(b) (6)>

Cc: "Folk, Anders (ODAG)" <(b) (6)>

Subject: RE: safe sites

Date: Wed, 08 Dec 2021 17:53:27 -0000

Importance: Normal

Attachments: Cover_Memo_-_Safe_Injection_Sites_-_for_DAG_and_OASG_12-1-21_-_updated_bh.docx

Thanks Sara—what time is the meeting tomorrow?

Your updates look great. A few additions and some formatting fixes in the attached.

The only thing I'd push back on is (b) (5)

But if you think it's important, happy to defer to you.

From: Solow, Sara (ODAG) <(b) (6)>

Sent: Wednesday, December 8, 2021 11:58 AM

To: Henthorne, Betsy (OASG) <(b) (6)>

Cc: Folk, Anders (ODAG) <(b) (6)>

Subject: safe sites

Hi! For our meeting tomorrow (just put on calendar), I am proposing updating this memo as attached. Can you pls look through and offer any line edits?

I also want to attach (b) (5)

Sara

Sara A. Solow

Senior Counsel

Office of the Deputy Attorney General

U.S. Department of Justice

Cell: (b) (6)

Other: (b) (6)

From: "Henthorne, Betsy (OASG)" (b) (6)

To: "Solow, Sara (ODAG)" (b) (6)

Subject: RE: draft memo on safe injection sites

Date: Wed, 01 Dec 2021 17:18:18 -0000

Importance: Normal

Super; thanks! I sent to ASG.

On the question I flagged last night (b) (5)

[REDACTED]

From: Solow, Sara (ODAG) (b) (6)

Sent: Wednesday, December 1, 2021 9:29 AM

To: Henthorne, Betsy (OASG) (b) (6)

Subject: RE: draft memo on safe injection sites

Excellent, thanks! I accepted everything except (b) (5)

[REDACTED]

I am going to ask that this be put in the DAG's book tonight, along with the NYT article.

Thank you!

Sara

Sara A. Solow

Senior Counsel

Office of the Deputy Attorney General

U.S. Department of Justice

Cell: (b) (6)

Other: (b) (6)

From: Henthorne, Betsy (OASG) (b) (6)

Sent: Wednesday, December 1, 2021 12:32 AM

To: Solow, Sara (ODAG) (b) (6)

Subject: RE: draft memo on safe injection sites

Here's an updated version. I moved a couple of things around and added some more detail. Feel free to push back if you think any of my additions or changes are not what your boss is looking for.

(b) (5)

but I will keep thinking and would be interested to hear your thoughts as well.

From: Solow, Sara (ODAG) (b) (6)

Sent: Tuesday, November 30, 2021 4:26 PM

To: Henthorne, Betsy (OASG) (b) (6)

Subject: draft memo on safe injection sites

Can you please offer any edits or additions?

Would be good to get this in front of our bosses tomorrow – or at least for me to send this to LOM if you'd rather it come from me alone.

Then, if they want time on the calendar on thurs or fri, we can push for it.

S

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: "Henthorne, Betsy (OASG)" (b) (6)

To: "Motzkin, Leah (OASG)" (b) (6)

Cc: "Sooknanan, Sparkle (OASG)" (b) (6)

Subject: FW: Safe Injection Sites

Date: Wed, 01 Dec 2021 17:08:41 -0000

Importance: Normal

Attachments: Cover_Memo_-_Safe_Injection_Sites_-_for_DAG_and_OASG_12-1-21.docx

Sorry should have cc'd you—not sure what the usual practice is with things like this. This memo is not for a specific meeting, though she may want to review before her DAG meeting at 3pm.

From: Henthorne, Betsy (OASG)

Sent: Wednesday, December 1, 2021 12:07 PM

To: Gupta, Vanita (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6); Wolfson, Paul (OASG) (b) (6)

Rossi, Rachel (OASG) (b) (6)

Subject: RE: Safe Injection Sites

Here is the promised memo. Sara said she is putting this in the DAG's book "tonight" so I'm not sure if the DAG will see it before your 3pm.

On the question of (b) (5)

I'm not sure we are quite there yet, (b) (5)

One concern flagged in the memo is (b) (5)

I have not discussed the public statement Q in depth with Sara.

From: Gupta, Vanita (OASG) (b) (6)

Sent: Tuesday, November 30, 2021 11:24 AM

To: Henthorne, Betsy (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6); Wolfson, Paul (OASG) (b) (6);

Rossi, Rachel (OASG) (b) (6)

Subject: RE: Safe Injection Sites

Thanks, I saw this and had on my list to inquire. Looking forward to update on how/if this impacts our analysis when ready.

From: Henthorne, Betsy (OASG) (b) (6)

Sent: Tuesday, November 30, 2021 11:00 AM

To: Gupta, Vanita (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6); Wolfson, Paul (OASG) (b) (6)

Rossi, Rachel (OASG) (b) (6)

Subject: RE: Safe Injection Sites

And here's the NYT coverage: <https://www.nytimes.com/2021/11/30/nyregion/supervised-injection-sites-nyc.html>

Sara is keeping DAG/PADAG updated as well.

From: Henthorne, Betsy (OASG)

Sent: Tuesday, November 30, 2021 10:55 AM

To: Gupta, Vanita (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6); Wolfson, Paul (OASG) (b) (6)

Rossi, Rachel (OASG) (b) (6)

Subject: Safe Injection Sites

Vanita,

We learned this morning that Mayor De Blasio is announcing the opening of two "Overdose Prevention Centers" in NYC. The City had previously reached out to the Department about this and someone at the White House Office of National Drug Control Policy (ONDCP) was supposed to connect with them, in the hopes that we would be looped in on their plans. It's not clear that happened, but in any event, apparently the City is moving forward.

As you may recall, Sara Solow and I are working on this, both from a policy angle and the *Safehouse* case in Philadelphia. I will send a more fulsome update this afternoon, but wanted to give you the latest.

Thanks,
Betsy

Betsy Henthorne | Counsel

Office of the Associate Attorney General

office: (b) (6)

mobile: (b) (6)

From: "Solow, Sara (ODAG)" (b) (6)

To: "Netter, Brian (CIV)" <Brian.Netter@usdoj.gov>

Subject: RE: Supervised Injection Sites in NYC

Date: Wed, 01 Dec 2021 16:32:33 -0000

Importance: Normal

Attachments: Cover_Memo_-_Safe_Injection_Sites_-_for_DAG_and_OASG_12-1-21.docx

Agree – and thank you for flagging Brian. Just for your awareness, attached is what I am sending to the DAG today on this (pls do not circulate), so that you can track our sense of how these cases might unfold/develop. We've asked USAO-SDNY to consider what is going on there and offer some recommendations of how to proceed. (b) (5)

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: Netter, Brian (CIV) (b) (6)

Sent: Wednesday, December 1, 2021 11:30 AM

To: Henthorne, Betsy (OASG) (b) (6); Solow, Sara (ODAG) (b) (6)

Subject: FW: Supervised Injection Sites in NYC

In case you missed this. We will obviously need to be consistent in how we deal with Safehouse and NYC.

Brian D. Netter
Deputy Assistant Attorney General
Civil Division
U.S. Department of Justice
(b) (6) (m)

From: Borson, Joseph (CIV) (b) (6)

Sent: Tuesday, November 30, 2021 9:18 AM

To: Netter, Brian (CIV) (b) (6); Haas, Alex (CIV) (b) (6)

Subject: Supervised Injection Sites in NYC

Hi Brian and Alex,

The NYT had an article today about how NYC is opening up supervised injection sites in Manhattan. It looks like they are "authorized" by the city, although it's not clear from the article the extent of regulation. The article does mention the Safehouse litigation.

Joey

<https://www.nytimes.com/2021/11/30/nyregion/supervised-injection-sites-nyc.html>

Joey Borson
Trial Attorney
U.S. Department of Justice, Civil Division
Federal Programs Branch
1100 L St. NW, Room 12508
Washington, D.C. 20005
ph: (b) (6)
(b) (6)

From: "Solow, Sara (ODAG)" (b) (6)

To: "Matthews-Johnson, Tamarra D. (OAG)" (b) (6)

Subject: FW: DEA Safehouse Memo (10.27.21).docx

Date: Tue, 16 Nov 2021 21:02:13 +0000

Importance: Normal

Attachments: DEA_Safehouse_Memo_(10.27.21).docx

Sara A. Solow
Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: (b)(6); (b)(7)(C); (b)(7)(F) per DEA

Sent: Wednesday, October 27, 2021 6:14 AM

To: Solow, Sara (ODAG) (b) (6)

Subject: DEA Safehouse Memo (10.27.21).docx

Sara,

The Administrator and I wanted to do a deeper dive on the Safehouse matter — specifically on their schedule I research argument and on the mobile van piece. This memo was prepared internally for the A, but we wanted to share with you as well in case it is helpful.

I'm out the rest of the week (but on email) and can discuss in-depth next week if you'd like.

Best,

(b)(6); (b)(7)(C);

Sent from my iPhone

From: "Henthorne, Betsy (OASG)" (b) (6)

To: "Solow, Sara (ODAG)" (b) (6)

Cc: "Wolfson, Paul (OASG)" (b) (6)

Subject: Re: DEA Safehouse Memo (10.27.21).docx

Date: Wed, 27 Oct 2021 09:10:39 -0400

Importance: Normal

Thanks so much Sara. We are talking internally this afternoon (had to reschedule from yesterday) and will circle back with you after that. I'm increasingly confident (b) (5)

Anyway, we'll connect with you this evening!

On Oct 27, 2021, at 9:04 AM, Solow, Sara (ODAG) (b) (6) wrote:

Dear Paul and Betsy,

Pls see attached (and email below) from DEA.

Outstanding strands of things happening in the safehouse/safe injection site space:

--DEA did updated research, attached, and is (b) (5)

--DEA also (b) (5)

-- ONDCP and NIDA briefed us on their ongoing conversations with Rhode Island folks, and we are going to be putting ONDCP in touch with NYC health department; they will be looking for guidance about what, if any, non-pros posture we might take in either place; note that in Rhode Island, we also asked ONDCP to connect with their lawyers/general counsel to understand what legal arguments they'd be invoking if we brought an enforcement action – police powers/federalism?;

--we learned yesterday that the HHS Secretary is telling reporters that HHS won't "stand in the way of harm reduction models" → (b) (5)

--upcoming filing date of Nov. 3 [?] in the Philly case, with the plan (b) (5)

Question for OASG: given all of the above, does it make sense to have a 15 or 30 minute meeting with the DAG and DEA, to update everyone on these activities? I think probably, but would like to know your thoughts.

Another Question for OASG: (b) (5)

Sara

Sara A. Solow

Senior Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
Cell: (b) (6)
Other: (b) (6)

From: (b)(6); (b)(7)(C); (b)(7)(F) per DEA

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(b) (6); (b)(7)(C); (b)(7)(F) per

Sent from my iPhone

<DEA Safehouse Memo (10.27.21).docx>

From: "Wolfson, Paul (OASG)"(b) (6)

To: "Colangelo, Matthew (OASG)"(b) (6) "Rossi, Rachel
(OASG)"(b) (6), "Henthorne, Betsy (OASG)"
(b) (6)

Subject: FW: DEA Safehouse Memo (10.27.21).docx

Date: Wed, 27 Oct 2021 13:09:55 +0000

Importance: Normal

Attachments: DEA_Safehouse_Memo_(10.27.21).docx

See below and attached.

Paul R.Q. Wolfson
Deputy Associate Attorney General
U.S. Department of Justice

(b) (6)

Mobile: (b) (6)

Office Tel: (b) (6)

Duplicative Records

From: "Wolfson, Paul (OASG)"(b) (6)

To: "Colangelo, Matthew (OASG)"(b) (6) "Rossi, Rachel
(OASG)"(b) (6), "Henthorne, Betsy (OASG)"
(b) (6)

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Importance: Normal

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See below and attached.

Paul R.Q. Wolfson
Deputy Associate Attorney General
U.S. Department of Justice

(b) (6)

Mobile: (b) (6)

Office Tel: (b) (6)

Duplicative Records

From: "Gupta, Vanita (OASG)" (b) (6)

To: "West Rasmus, Emma (OASG)" (b) (6)

Subject: FW: One more Q

Date: Mon, 20 Sep 2021 21:44:18 +0000

Importance: Normal

Attachments: 823(f)_background_draft_9-17-21.docx

Pls print this as well - thanks

From: Rossi, Rachel (OASG) (b) (6)

Sent: Friday, September 17, 2021 8:41 AM

To: Gupta, Vanita (OASG) (b) (6); Grogg, Adam (OASG) (b) (6)

Cc: Colangelo, Matthew (OASG) (b) (6)

Subject: RE: One more Q

Vanita:

Attached is our memo with more information on (1) the research exemption and (2) states' plans on consumption sites.

We are happy to set up some time to discuss!

Rachel

From: Gupta, Vanita (OASG) (b) (6)

Sent: Thursday, September 16, 2021 3:33 PM

To: Grogg, Adam (OASG) (b) (6)

Cc: Rossi, Rachel (OASG) (b) (6); Colangelo, Matthew (OASG) (b) (6)

Subject: Re: One more Q

Ah, got it. Thank you!

On Sep 16, 2021, at 3:25 PM, Grogg, Adam (OASG) (b) (6) wrote:

Thanks, Vanita. On the caselaw, I should have been more precise. (b) (5)

[REDACTED]

-----Original Message-----

From: Gupta, Vanita (OASG) (b) (6)


Sent: Thursday, September 16, 2021 3:03 PM

To: Grogg, Adam (OASG) (b) (6); Rossi, Rachel (OASG) (b) (6); Colangelo, Matthew (OASG) (b) (6)

Subject: One more Q

Adam and Rachel -

(b) (5)

A large black rectangular redaction box covers the majority of the line following the text "(b) (5)".

And do we know which other states are moving to allow/regulate safe houses?

Thx