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A California AIDS activist has filed a complaint against Abner Mason, a member of the Presidential Advisory Council on HIV/AIDS, alleging that Mason is using his position on the panel to promote the interests of pharmaceutical companies.

Activist accuses PACHA member of conflict of interest
Complaint sent to HHS inspector general for review

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Abner Mason, a gay Republican member of the Presidential Advisory Council on HIV/AIDS, may have violated government ethics rules or practices by using his position on the advisory panel to promote the interests of U.S. pharmaceutical companies, an AIDS activist has charged.

Genevieve Clavreul, who describes herself as an advocate for accountability of AIDS organizations, said in a May 9 letter to PACHA co-chair Tom Coburn that Mason appears to be using his position as chair of PACHA's International Committee as a platform for promoting drug industry causes through an organization he helped create called the AIDS Responsibility Project.

Coburn told the Blade on May 26 through an e-mail message that he instructed PACHA's executive director, Josephine Robinson, to forward Clavreul's letter to the inspector general's office at the U.S. Department of Health & Human Services. The Inspector General's office investigates allegations of potential violations of laws or regulations by HHS officials or related agencies. HHS provides administrative support for PACHA.

The possible investigation of Mason by the HHS inspector general comes at a time when Mason and his AIDS Responsibility Project have taken positions in sharp disagreement with AIDS activists over the proposed use of low-cost, generic AIDS drugs produced in foreign countries.

Mason drafted and pushed through a resolution at PACHA's March meeting calling on President Bush to refrain from using funds from his \$15 billion emergency AIDS relief program for African and Caribbean nations for AIDS drugs that do not meet the stringent drug approval process of the U.S. Food & Drug Administration.

Critics say the resolution favors U.S. drug companies, who hope to supply drugs to Africa under the president's program, because those drugs already have FDA approval. Such a policy would delay the use of foreign-made generic

AIDS drugs that cost a fraction of what the U.S.-made drugs cost, and could delay their use by thousands of Africans who are dying of AIDS each month, critics charge.

Bill Pierce, a spokesperson for HHS, disputes claims that the FDA procedures would delay generic drugs from coming into use.

But Mason's dual role as a member of PACHA and head of an organization advocating for positions considered favorable to large drug companies could create a flap in the midst of the presidential election, further straining the president's status among gays and AIDS advocates.

The Blade reached Mason on his cell phone Tuesday seeking comment. Mason said he was in an airplane and had to hang up, but would be available on Wednesday. Mason did not return several calls seeking comment on Wednesday.

Drug company stooge,?

"Abner Mason is a drug company stooge," said Paul Davis, an official with Health Gap, an AIDS advocacy group that accuses the FDA of caving in to drug companies by not allowing the immediate use of generic AIDS drugs produced in India for the Africa relief program.

Davis was the only AIDS group representative willing to talk on the record about Mason and the AIDS Responsibility Project. Others, speaking on condition that they not be identified, said they had no objections to Mason serving as an advocate for drug companies. But they said they were troubled that he has not disclosed his ties to pharmaceutical firms that appear to be funding at least some of the ARP's activities and most likely Mason's salary.

PACHA is a 35-member advisory body that makes recommendations to the president and the HHS secretary on AIDS-related issues. Its members are not paid. Many of them come from the fields of AIDS research and medicine as well as from private industry and community-based advocacy groups.

Pierce said he would look into the status of any inspector general's office review of Clavreul's letter, but Pierce did not provide additional information by press time.

Pierce said the HHS general counsel's office has issued guidelines about possible conflicts of interest for members of all presidential advisory bodies and that members of such bodies are required to comply with them.

In her letter to Coburn, Clavreul noted that Mason helped create the AIDS Responsibility Project in 2003, one year after President Bush appointed him to PACHA. She noted that Mason appears to be the ARP's sole employee. Clavreul told the Blade that sources in the "AIDS community" informed her that ARP receives substantial funding from pharmaceutical companies or trade groups representing those companies.

ARP's Web site makes no mention of its source of funding. However, it lists the Pfizer pharmaceutical company and the Pharmaceutical Research and Manufacturers of America, known as PhRMA, as two of several organizations with which the group has "partnerships."

Clavreul said sources from AIDS organizations also informed her that Mason has facilitated numerous meetings between officials with pharmaceutical companies and members of Congress or their staffers by highlighting his position as chair of the PACHA International Committee. Clavreul noted that Mason has also written at least two commentaries for newspapers ~ the San Francisco Chronicle and the Boston Globe ~ advocating against the use of low-

cost generic AIDS drugs for the president's AIDS relief program for Africa and the Caribbean Basin. In both commentaries, Mason identified himself as chair of PACHA's International Committee.

"I believe it is important to understand that I am not opposed to any member of PACHA advocating on issues on HIV/AIDS beyond their position on the committee," she said in her letter to Coburn. "However, I believe that the proper and ethical thing to do is for members to participate in full disclosure."

Added Clavreul, "What he fails to disclose is that his organization appears to receive not only substantial funding from pharmaceutical companies involved in HIV/AIDS but that he actively solicits meetings with policy makers on these companies behalf."

Other conflicts of interest

Clavreul said in her letter that Dr. Louis Sullivan, the former HHS secretary who currently serves as the other PACHA co-chair, recused himself from PACHA's deliberations over a newly developed rapid HIV testing system due to a possible conflict. Sullivan was a consultant for Orasure, a company that produces one of the rapid testing kits.

Last year, gay Republican activist Charles Francis, executive director of the gay-straight Republican Unity Coalition, resigned from PACHA after the public relations firm he heads took on a foreign government as a client. Government ethics rules prevent members of presidential advisory panels from lobbying for or being compensated by foreign governments.

Mason is one of six openly gay members of PACHA, five of whom, including Mason, were appointed by President Bush. Several of Bush's appointees replaced openly gay PACHA members appointed by President Clinton, who created PACHA.

Mason has won praise as a moderate Republican and a strong advocate for gay civil rights causes. He worked for 10 years in various positions in the Massachusetts state government beginning under the administration of former GOP Gov. William Weld, who was a strong advocate for gay rights.

Among other posts, Mason served as undersecretary of transportation under Gov. Paul Cellucci and as deputy general manager of the Massachusetts Bay Transportation Authority, the nation's seventh largest public transit system. Mason left the Massachusetts government after GOP Gov. Jane Swift, who succeeded Cellucci, chose not to run for a second term in 2002.

A short time later, Mason moved to Los Angeles, and he and others formed the AIDS Responsibility Project in 2003, according to the ARP Web site.

Among the organization's six-member board of directors, the Web site says, are Rich Tafel, former executive director of Log Cabin Republicans, the national gay GOP group; and Bob Kabel, an attorney, former Reagan administration official and a veteran operative of the Log Cabin Republicans.

Kabel declined to comment for this article; Tafel could not be reached by press time.

Also identified as board members on the Web site are Margaret Parker Alexander, the former finance director of the Republican National Committee and current head of a GOP-leaning fund-raising organization; Martin Meekins, a Los Angeles attorney; and Nicholas Ward, a D.C. estate and probate attorney.

„The mission of the AIDS Responsibility Project is to educate key policy makers and the general public to the unique needs of traditionally underserved HIV/AIDS-affected populations, and to develop strategies and solutions to overcome barriers to treatment,“ the Web site says.

Other organizations listed on the Web site as ARP partners are the Marlo Group, a public relations firm; Daimler Chrysler; Baker and Daniels/Sagamore; the Dutko Group; the U.S. Agency for International Development; and AIDS Action, a national AIDS advocacy group based in D.C.

AIDS activists have said ARP last year organized an all expenses-paid trip to Africa for a delegation of congressional staff members and officials with AIDS organizations to monitor AIDS programs in South Africa, Uganda and Botswana. The ARP Web site says members of PACHA also were included on the trip, including Brent Minor, James Drischol and Mason. Also attending were Tafel, Marsha Martin, executive director of AIDS Action; and Sean Mulvaney, a member of the staff of gay U.S. Rep. Jim Kolbe (R-Ariz.).

Joe Crea, a Washington Blade reporter, was also on the Africa trip, but was not representing the newspaper and did not write about the trip for the Blade. Crea paid his own trip expenses.

In January of this year, the group sponsored another similar trip to Brazil, in which Mason participated on a panel with Brazilian government and drug industry officials entitled, “Intellectual Property, Patent Protection and Human Needs: HIV/AIDS Treatment Access and Global Trade Standards.”