

February 15, 2022

The Honorable Xavier Becerra  
Secretary of Health and Human Services  
U.S. Department of Health & Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Becerra,

I'm writing about your department's smear of the Washington Free Beacon's report on your "safe smoking kits"—kits which, until last week, included taxpayer-funded crack pipes.

Last month, HHS put out a notice of funding to support "community-based overdose prevention programs, syringe services programs, and other harm reduction services."

In the "Required Activities" section of this notice, HHS wrote that funds must be used to support purchases including "safe smoking kits/supplies." Safe smoking kits have been used across the country and often contain glass pipes. In fact, "safe" pipes are usually *the entire point* of "safe smoking kits." As your drug legalization allies said when expressing disappointment that the safe smoking kits will no longer include pipes, "safe smoking kits without pipes are useless."

After the Free Beacon's report, HHS accused the Free Beacon and many other reputable outlets of "misinformation." Your spokeswoman attacked me on Twitter while defending the crack pipes as a "harm reduction strategy." Then, HHS put out another statement, announcing that the "safe smoking kits" will not contain crack pipes—just heroin needles.

What happened is obvious. HHS planned to allow the safe smoking kits to include crack pipes. You got caught, scrambled under pressure, and falsely accused the Free Beacon of "misinformation."

Please provide the following correspondences to my office. You should anticipate testifying before the 118<sup>th</sup> Congress on HHS's lack of forthrightness about your crack pipe funding plan.

1. Provide all correspondence between HHS and grant applicants that mention the term "safe smoking kits."
2. Provide all correspondence between HHS staff involving the department's statement on Tuesday, February 8th, when you called the Free Beacon's report "misinformation."
3. Provide all correspondence between HHS staff and the White House between Monday, February 7, and Thursday, February 10, involving the contents of the HHS "safe smoking kits."

Regards,



Tom Cotton  
United States Senator