

Guest Editorial: Lujene Clark**Stop Senate Bill 3!**

Many people—and the media—have been skeptical about the vaccine-autism connection: “The mercury can’t be that harmful. The government would never permit it.” I hope these skeptics saw the televised Congressional hearings following the revelation that the pain-killing drug Vioxx also killed people. It has been estimated that up to 160,000 cardiovascular deaths attributable to Vioxx have occurred since the FDA approved the drug in 1999. FDA official Sandra Kweder dismissed these deaths as merely “numbers on a spreadsheet.” Multitudes of additional deaths are now known to have been caused by other FDA-approved drugs such as Celebrex, Bextra, and Prozac, and to have been covered up for many years by collusion between government officials and drug makers.

A Los Angeles Times article on these scandals revealed undisclosed gifts of \$500,000 from Pfizer to one NIH official. Another received \$250,000 from a drug firm. It will give great comfort to the parents of vaccine-injured children to learn that their children are not the only victims of governmental-drug company collusion.

These examples of corruption are certainly unethical, but they are not considered illegal. No wonder it has been so hard to protect our children from mercury-containing thimerosal!

However, if you think the above examples are terrible, consider the consequences of Senate Bill 3, proposed by Senator Frist and his colleagues. Following is a letter from Lujene Clark, who is the co-founder (with her husband Alan, a physician) of the non-profit organization nomercury.org. She is the mother of a vaccine-injured child.

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Under the guise of “Protecting America in the War on Terror,” U.S. Senators Gregg, Frist, Sessions, DeWine, Allen, Santorum, McConnell, and DeMint have introduced Senate Bill 3, which calls for many sweeping changes in pharmaceutical product liability, vaccine regulation, policy, research and the Vaccine Injury Compensation Act. This directly impacts those families whose children have suffered adverse vaccine reactions, Gulf War Veterans, and any other veteran who suffers from adverse reactions from the multiple vaccines given.

This bill is aimed at liability protection of drugs and vaccines, and at preventing state legislation from banning thimerosal in vaccines. This bill is worse than the Eli Lilly provision of the Homeland Security Act and is a direct “gift” to the pharmaceutical companies. If constituents do not weigh in on this horrendous bill, the civil rights of the American people will be violated and state

autonomy will be compromised. It is an insult to every state elected official and every American.

S. 3 would also severely limit the public access to any information regarding vaccine research, vaccine production, and vaccine regulations, including, but not limited to, meetings about vaccines and “countermeasures” for pandemics, epidemics, etc. The bill places severe restrictions on the Freedom of Information Act and will impact your ability to find out about drug/vaccine safety, regulation and policy.

Furthermore, Sec. 761 (a)(1) would preempt state authority and legislation dealing with vaccines or vaccine components, such as thimerosal. Missouri currently has three bills pending to ban thimerosal in vaccines. Iowa and California have already banned mercury in vaccines. Numerous other states are pursuing similar legislation such as Maryland, Nebraska, New York, Pennsylvania and Washington. Various other states are also planning to introduce legislation banning mercury in vaccines within the next few weeks/months, such as Ohio, Illinois, North Carolina, Michigan, Massachusetts and Minnesota. This bill will preempt such legislation, forcing states to allow vaccine manufacturers to continue using toxic levels of mercury in vaccines (in excess of Federal EPA safety guidelines).

This horrendous piece of Federal legislation would even prohibit the warning or informed consent provisions for drugs, vaccines and biologics. Additionally, this bill would prohibit punitive damages and cap compensatory damages against any pharmaceutical company. If the FDA approves a drug, vaccine, or biologic, the company making it is protected from liability. We have all seen how attentive the FDA has been to protect Americans from dangerous drugs such as Vioxx.

This cleverly crafted legislation includes something nearly every American will understandably want to support: raising the death gratuity for families of soldiers killed in Iraq from \$12,000 to \$100,000. It also increases other military benefits. Including an unrelated but popular provision that should stand alone legislatively seeks only to cloud the issues addressed in the major portion of this bill’s language. Every American supports increased benefits for our soldiers and their families, and that includes us. As parents and loyal Americans, however, we believe that S. 3 has been carefully crafted to unfairly paint parents who seek justice for vaccine-injured children into a political corner. Just as they did in the legislative sleight-of-hand employed in the Homeland Security Bill fiasco in 2002, the sponsors of S.3 are manipulating the po-

litical process by tying domestic programs affecting every American’s health and safety to unrelated “anti-terrorism” programs. In this way they are attempting to make legitimate opposition to S. 3 politically unacceptable.

We question why politically popular legislation supporting our troops is tied to a bill with far-reaching provisions that affect the safety of vaccines given to millions of American children. Let’s not confuse the issues. We believe that by casting the vaccine safety provisions in the language of fighting terrorism (epidemic “countermeasures” is S.3’s new code word for “vaccines”—this is truly Orwellian doublespeak) the American people are being misled about S.3’s impact on vaccine safety programs.

Let’s deal with one thing at a time. Taking away the right of states to protect their citizens from dangerous vaccine components and drugs like Vioxx and Paxil does not translate into protecting our children—from terrorism or anything else. All it does is give control of these matters—vaccines and drugs—to a few powerful people who operate behind closed doors. The vaccine safety provisions are pharma support positions, plain and simple, and are not necessary for bioterror defense, at least not in this form.

The bill would also overhaul the National Vaccine Injury Compensation Program to the detriment of children and families. Other parts of this legislation are extremely troublesome as well (see the full draft at www.nomercury.org). This is not a benign bill—this goes directly to counter state and parental efforts to protect children from vaccine injuries.

If this bill is as concerning to you as it is to other parents and many members of the medical community, please contact all members of the U.S. Senate, particularly your Senators and members of the US Senate Finance Committee.

Please phone your Senators immediately to insist that all provisions be deleted from S. 3 which protect drug companies from liability for the harm caused by their unsafe, inadequately tested vaccines.

If you don’t know your Senators’ phone numbers, call the Capitol switchboard at (202) 224-3121 and ask to be connected to your Senators’ offices. (Phone calls are given more weight than letters or emails.) While on the phone, also tell each Senator’s assistant that since the FDA has consistently demonstrated that it favors drug company profits over public health, you do not want the FDA to be given more control of nutritional supplements. Bills will soon be introduced—again—in the House and Senate which will infringe on your right to purchase the vitamins and minerals that research has shown to benefit all of us, including, especially, autistic children.

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