

TESTIMONY BEFORE  
THE HEALTH AND ENVIRONMENT SUBCOMMITTEE,  
U.S. HOUSE OF REPRESENTATIVES

DECEMBER 19, 1984

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DISSATISFIED PARENTS TOGETHER (DPT)

I. Introduction:

Good morning, Mr. Chairman and members of the Subcommittee. I appreciate the invitation to testify on behalf of Dissatisfied Parents Together (DPT). Dissatisfied Parents Together is a non-profit group of parents devoted to educating other parents, physicians and the public about the dangers of the current whole cell pertussis vaccine, as well as the pertussis disease.

II. More Questions Than Answers:

Today's hearing focuses on the recent controversy over whether or not there is (or will be) a shortage of pertussis vaccine in this country. To us, however, the events of the last week raise a deeper and even more disturbing question: Can the public trust what the vaccine suppliers and the U.S. government tell us about the vaccines which are mandated for our children? Unless a host of unanswered questions are addressed completely, openly, and to the satisfaction of the public, the credibility of the entire disease prevention program may be mortally wounded.

What are these unanswered questions? There are far too many even to pose them all today in the brief time available to us. Some examples will have to suffice:

\* The So-Called Vaccine "Shortage": Is there really a serious pertussis vaccine "shortage"? Or is the so-called "shortage" primarily a public relations ruse intended to stampede the Congress into cutting off the rights of injured children to sue negligent drug companies? Why did Wyeth Laboratories announce publicly it would stop pertussis vaccine production, then continue to produce and sell the vaccine to Lederle? Why did Wyeth deny that it was producing pertussis vaccine, when asked earlier this fall by reporters? Did FDA and CDC know Wyeth was continuing production? If not, why not? If so, why weren't Congress and the American public told that Wyeth was actually continuing to produce pertussis vaccine?

How could HHS testify before this Subcommittee in September that no vaccine shortage was likely and that there was no need for a government contingency planning effort to deal with possible vaccine shortage, and barely two months later put out a press release about vaccine shortages that sounds like it was written by Chicken Little?

Was there collusion among the vaccine makers (or even between the vaccine makers and the government itself) to mislead the Congress and the American public into a vaccine-related Gulf of Tonkin Resolution or new Swine Flu fiasco? Or was there only a series of

"innocent mistakes"? If there were only innocent mistakes, who made them? Why were they made? And what can be done to assure that they won't be made again? In the immortal words of Senator Baker, "Who knew, what did they know, and when did they know it?"

\* The "Unavoidability" of Vaccine Damage: Both the vaccine manufacturers and HHS have repeatedly testified that a certain number of children are "unavoidably" injured by mandated childhood vaccines. Yet questions about the credibility of HHS and the vaccine suppliers are underscored by this unsubstantiated contention. If there is no vaccine manufacturer negligence, how can such cases as the Tinnerholm and Stromsodt Quadrigen decisions be explained? More importantly, if the pertussis vaccine manufacturers have not been negligent and have nothing to hide, why do they settle so many cases and why do they insist that all records in these cases be sealed and kept secret from the Congress and the public, as well as from other injured children?

Why are the vaccine makers unwilling to make available to the Congress and the public the so-called Deitch memorandum, the Koehler memorandum, and the Lederle study of the comparative reactogenicity of Lilly's extracted vaccine, to name a few examples? Why are the companies fighting so hard to shut off the lawsuits which are beginning to bring the truth to light?

A host of similar questions arise on a number of other related issues. For example, if the drug companies are really so anxious to reduce the transaction costs of defending this litigation, why do they wait until the week or even the day before trial to settle these cases? How many cases are there really? How much is the vaccine price rise justified by "liability concerns" and how much by unrelated pricing strategies for profitability? If unavailability of adequate insurance is the problem, as Connaught suggests, why haven't the companies (or the government) proposed legislation to help get government reinsurance, co-insurance, or other insurance-related assistance? Clearly there are many more questions, and just as clearly, there are more questions than believable answers.

### III. Finding the Answers: A Call for Congressional Action

We applaud the Subcommittee for holding today's hearing and beginning to ask these questions. And we applaud the press and the lawyers who have unearthed the information that raises these questions.

But one day's hearings, no matter how well conducted, cannot begin to answer all the outstanding questions. These questions must be answered if we are to provide effective protection for the health of future children. They must be answered if we are to provide some measure of simple justice for the children and families who have been damaged or destroyed by the pertussis vaccine. And they must be answered openly, completely, and truthfully if the American public is ever going to view HHS and the government's mandatory vaccination program with anything but suspicion. A bright light must be shown into the dark corners of this issue. Only Congress can shed that light in a way that might dispell growing doubts.

Therefore, today Dissatisfied Parents Together calls upon this Committee and the Oversight Subcommittees of the House and Senate Government Affairs and Government Operations Committees to open a full-scale investigation of these issues. We urge the Congress to use its subpoena powers and to take testimony under oath to determine if there was a deliberate effort to mislead the Congress and the public. We urge the Congress to turn its light on FDA, CDC, and the vaccine makers, and get the answers needed for sound public policy making.

We ask the press, the public, and others concerned about the health of children to join our call.

We urge this Committee and the other oversight subcommittees of Congress to start this investigation at once. The protection of the health of America's children demands no less.

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For further information about this testimony, contact Dissatisfied Parents Together, (703) 938-3783. To obtain a copy of DPT's parent information booklet on pertussis disease and the pertussis (DPT) vaccine, send \$3 to DPT, 128 Branch Rd., Vienna, VA 22180.