

Compensating a Must For Vaccine Injuries

In reaction to your Nov. 18 editorial "Politicizing Vaccines":

The homeland security bill contains several liability protection provisions. One provision concerns the smallpox vaccine. It limits the liability of manufacturers and health-care providers for injuries caused by this vaccine—but does nothing to compensate the Americans who we know will be injured by the vaccine. This omission is inexcusable, and I stand by my comment that Republicans have protected everyone but the people who need protection the most.

Your editorial, however, took my comment on the smallpox liability program and applied it to an entirely unrelated provision in the homeland security bill. This second provision provides new liability protection for makers of thimerosal, a preservative that was previously used in some childhood vaccines. You accuse me of opposing this provision in order to foster litigation. You then approvingly cite the Vaccine Injury Compensation Program, a government initiative that provides compensation outside of the tort system for children injured by vaccines.

In fact, I authored the legislation creating the Vaccine Injury Compensation Program. My belief that we should apply this successful model to smallpox vaccine is exactly why I am so disappointed that the homeland security bill does nothing to compensate those injured by the vaccine.

I oppose the thimerosal provisions because they have nothing to do with homeland security and do not belong in the bill. There was no debate on these provisions and virtually no House members even knew they were in the bill. When Congress approves provisions of this import, it should be by a deliberative process and not by the legislative fiat of one member who refuses even to acknowledge responsibility for these provisions.

These liability protections should be considered in separate legislation along with many other changes to the childhood vaccine program also recommended by the independent HHS advisory panel that oversees this program.

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