

**Two Noteworthy Amendments to the CDC's Section of the House-passed
Labor Health and Human Services and Education Appropriations Bill
(July 17 to July 19)**

While a few of the amendments to the LHHS bill had an impact on the Centers for Disease Control and Prevention portion of this bill, two amendments were passed that are of particular interest. The first is an amendment offered by Mr. Ryan of Wisconsin prohibiting the use of federal funds to carry out certain functions at the CDC. The second is an amendment by Mr. Weldon of Florida related to the use of thimerosal in flu vaccine for children.

The LHHS bill – which funds the CDC – will now move forward in the Senate before it is combined with the House bill. After variations in the two bills are worked out, it will be sent to the President as one final bill. CPH wanted to ensure our partners had seen these amendments.

**RYAN AMENDMENT
RESTRICTING THE USE OF FUNDS BY CDC**

During consideration of the LHHS bill on the House floor, Congressman Ryan of Wisconsin offered an amendment on Thursday, July 19th that was based on a report generated by Senator Coburn of Oklahoma. The amendment prohibits the use of funds in the LHHS bill for three specific efforts at the CDC. Those limitations are:

- (a) None of the funds made available in this Act may be used to carry out the Entertainment Education Program of the Centers for Disease Control and Prevention. [CDC's background information on this program can be found [here](#)]

- (b) None of the funds made available in this Act may be used for the Ombudsman Program of the Centers for Disease Control and Prevention. [some have questioned this program's effectiveness and independence]

- (c) None of the funds made available in this Act may be used by the Centers for Disease Control and Prevention to provide additional rotating pastel lights, zero-gravity chairs, or dry-heat saunas for its fitness center. [an area of the CDC's health center includes some of this equipment]

The amendment passed by a voice vote (i.e., with no recorded vote and with little debate).

In his floor speech, Congressman Ryan gave credit to Senator Coburn's report, "CDC Off Center." This report highlights what the Senator feels is wasteful spending at the CDC. Coburn has promised similar reports for many other federal agencies.

As the LHHS bill moves to the Senate floor for consideration, CPH expects Senator Coburn to raise these and other points from his report as he did during last year's debate.

WELDON AMENDMENT
BANNING FLU VACCINE WITH THIMEROSAL FOR CHILDREN

As mentioned, Congressman Weldon's amendment to the LHHS bill prohibits the federal government from purchasing influenza vaccine containing thimerosal for use in children 6-35 months of age during the 2008-2009 season.

Congressman Weldon's floor statement about the amendment is below, followed by a statement by the CDC opposing the amendment.

**Statement by Congressman Dave Weldon
In Support of his Amendment, July 17, 2007**

Mr. WELDON of Florida. I thank the gentleman for yielding.

I rise to speak about an amendment that was introduced by me in the committee, and overwhelmingly adopted by the committee by voice vote. And I rise mainly to address the concerns being raised by members of the American Academy of Pediatrics and other members sending letters to the Congress from the public health community.

Let me state from the outset, as a physician, I strongly support vaccinating children and adults. Indeed, I gave a lot of vaccines. Immunizing kids against the flu is a particularly good idea. It prevents the kids from getting the flu, but it also, because children have bad personal hygiene and they tend to spread the flu around if they get it, by vaccinating kids and preventing them from getting the flu you actually prevent adults from getting the flu.

Certainly I believe the American Academy of Pediatrics is a great organization, as are the public health officials who do the work in administering these vaccines, even though they are complaining about my amendment.

Let me just state from the outset, my amendment simply implements the policy that the American Academy of Pediatrics established in 1999, when they stated, The Public Health Service, the American Academy of Pediatrics and vaccine manufacturers agree that thimerosal - containing vaccines should be removed as soon as possible. My amendment does nothing more than implement that policy.

Thimerosal is a mercury-containing preservative that is toxic. If I brought some thimerosal to this Chamber, spilled it on that table, we would have to evacuate the Chamber. That is how toxic it is.

Now, in 1999, the manufacturers, in coordination with the AAP, the CDC and the drug industry, removed all of the mercury from all of the childhood vaccines in 18 months. They removed it from the DPT and the hepatitis B. Eighteen months after adopting that policy in 1999, all of the pediatric vaccines had been produced and manufactured without any mercury in them. And then in 2004, a decision was made to add flu vaccine to the vaccine scheduled for children. And since that time it has been very difficult for me to get the American Academy of Pediatrics and the

CDC and the manufacturers to take this issue seriously and get the mercury out of the childhood vaccines.

And let me just also add, this is a bipartisan issue. I have a bill that I've introduced with Representative Carolyn Maloney from New York to get all this mercury out. There are many Democrats and many Republicans on this bill.

Now, some of the people who are opposing my amendment are actually claiming that children who were not vaccinated last year who got the flu died, and if there's not enough flu vaccine available, that more children may not get vaccinated and there may be more deaths. I would like to just simply point out that one of the issues here is public confidence in the vaccine program, and that many of these parents who didn't get their kids vaccinated maybe didn't get their kids vaccinated because they were concerned about the mercury in the flu vaccine. And, indeed, you might ask the question of the deaths that occurred last year, might some of them not have occurred if we had a mercury-free vaccine on the market?

Now, I want to refer to this chart briefly because I think this basically says it all.

In 2004, we were producing a little bit over 80 million doses of flu vaccine, and today we're producing over 130 million doses. But yet, officials have made no attempt to increase the amount of mercury-free vaccine that is being produced in this country. Mind you, the Europeans are producing more than enough mercury-free to vaccinate their kids. They have figured out how to do it. Mind you, I said earlier 18 months was all it took to get the mercury out of all of the other childhood vaccines. And why, after all these years, year after year, they say they want to get the mercury out of the childhood vaccines and they're not doing it. They're got getting it out of the flu vaccine. And they can do it and they will do it.

What this really boils down to, my colleagues, is an issue of leadership. CDC, AAP, the public health community has not exercised proper leadership on this issue, and it falls to us to do the right thing.

The language that I put in this bill is not covering this flu season, it's covering next flu season. They have more than a year to address this issue. I think they can. And that's why I put that language in the bill.

Statement Released by the White House Opposing the Weldon Amendment

“Flu Vaccine. The Administration strongly opposes any restriction on the use of funds under section 317 and the Vaccines for Children program to deliver flu vaccine to children under three years of age if it contains thimerosal. The provision could result in children not receiving any flu vaccine.”

This quote is taken from the Administration's letter which threatens to veto the entire LHHS bill. That letter can be found here: <http://www.whitehouse.gov/omb/legislative/sap/110-1/hr3043sap-h.pdf>