

Congressional Closeup by Carl Osgood

Suspend DOD anthrax program, says panel

On Feb. 17, the National Security, Veterans Affairs, and International Relations subcommittee of the House Government Reform Committee, chaired by Chris Shays (R-Conn.), released a report recommending that the Pentagon's anthrax vaccination program be made voluntary until a better vaccine has been developed. Shays told reporters, "We believe that the military has acted too quickly and has not done what is necessary, and that is to develop a drug that is modern . . . that is a cleaner drug." He added that the vaccine should be designated as "investigational," which would require informed consent, unless overridden by direct order of the President.

More than 400,000 service personnel, both active duty and reserves, have been administered 1.5 million shots of the vaccine, which requires six shots over 18 months. Three hundred fifty-one people have refused inoculation, because of concerns about the safety and effectiveness of the vaccine, and many of them have been court-martialed or have resigned from the service. Mark Souder (R-Ind.) said, "The more you dig into this, the more you realize this is more of a political solution, rather than a substantive medical solution." He reported that the subcommittee is raising questions about why there is only one source for the vaccine, the research behind it, and whether it is effective against weaponized forms of anthrax, as compared to the forms naturally occurring in farm animals.

Pentagon officials said that the vaccine is safe and effective, and that it responds appropriately to the threat. Maj. Gen. Randall West, special assistant to the Secretary of Defense for anthrax and biological defense, told reporters at a Pentagon news briefing

that afternoon that the subcommittee report contains much misinformation that is being put out for propaganda reasons that have little to do with the vaccine itself. He and Dr. Sue Bailey, Assistant Secretary of Defense for Health Affairs, also maintained that the pattern of adverse reactions to the vaccine is no different from that of other types of vaccinations that the military has been routinely administering for years.

Liability reform passed by House

On Feb. 16, the House passed, on a mostly party-line vote of 221-193, a bill to limit liability exposure of businesses with 25 or fewer employees. James Rogan (R-Calif.), one of the sponsors of the bill, said that it is designed to "improve the fairness" of the civil justice system and reduce "unnecessary litigation." The bill establishes a punitive damages limit of \$250,000, and exempts product sellers from liability cases involving products that they sell.

Democrats argued that the bill is unnecessary and misleading. Bobby Scott (D-Va.) said that the bill "rewards all businesses, big and small, with broad and sweeping legal protections when they cause personal and financial injury due to defective products."

John Conyers (D-Mich.) complained that the bill doesn't limit small businesses which can take advantage of the bill by annual revenue, and does not provide for a size limit for product sellers. He said that the bill imposes such severe evidentiary standards for punitive damages that it not only discourages the seeking of punitive damages, but also "eliminates any real possibility of obtaining them."

High oil prices put heat on White House

The adverse impact of high oil prices have punctuated continued calls by a coalition of members of Congress from Northeastern states, for the Clinton administration to release oil from the Strategic Petroleum Reserves. On Feb. 15, Rep. John Baldacci (D-Me.) reported that in Maine, "where people have a hard time making ends meet," people have seen their home heating bills double and triple this winter. He reported that there are 1.3 million pounds of potatoes from the current crop in storage in the Northeast that can't be moved to market because of high diesel fuel prices. He said that if they can't be moved, the U.S. Department of Agriculture "will have to pick up the tab."

While most observers are blaming the Organization of Petroleum Exporting Countries for the high prices, Rep. Joseph Crowley (D-N.Y.) pointed out a domestic contributing factor as well. He said that oil refineries may be overcharging in order to make up for profit losses from last year's warm winter. He called on Attorney General Janet Reno and the U.S. Department of Justice to launch an investigation into "any price fixing that may have been orchestrated by the fuel oil industry."

So far, President Clinton has released the last \$125 million in the Low Income Energy Assistance Program, which he announced on Feb. 16. He had also announced that he would seek another \$600 million supplemental appropriation for the program in a bill to be submitted before the end of February. However, the administration will not consider releasing any oil from the Strategic Petroleum Reserve until Secretary of Energy Bill Richardson returns from a tour of the Middle East at the end of February.