

DAN BURTON  
5TH DISTRICT, INDIANA

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DOMESTIC POLICY



Congress of the United States  
House of Representatives  
Washington, DC 20515-1405

WASHINGTON OFFICE:  
2308 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-1405  
TELEPHONE: (202) 225-2276

DISTRICT OFFICES:  
8900 KEYSTONE AT THE CROSSING  
INDIANAPOLIS, IN 46240  
TELEPHONE: (317) 848-0201  
TOLL-FREE: (800) 382-6020

209 SOUTH WASHINGTON STREET  
MARION, IN 46952  
TELEPHONE: (765) 662-6770  
TOLL-FREE: (877) 846-2936

[www.house.gov/burton](http://www.house.gov/burton)

June 21, 2007

Mr. Steve Capus  
President  
NBC News  
30 Rockefeller Plaza  
New York, N.Y. 10112

Dear Mr. Capus:

I write to you today to express my deep concern over the information Dr. Nancy Snyderman, NBC's Medical Editor, provided to your viewers regarding thimerosal's – the mercury-based vaccine preservative – link to the epidemic of autism sweeping our country. I applaud the NBC Nightly News and the Today Show for finally addressing this issue but I and many others are concerned that your reporting was neither fair nor accurate.

For example, during the June 11, 2007 NBC Nightly News broadcast, while commenting on the autism proceedings in vaccine court, Dr. Snyderman stated, "...there's no scientific proof that there is a relationship between thimerosal and autism." That is simply factually inaccurate. During my tenure as Chairman of the House Committee on Government Reform (1997-2002), and the subcommittee on Human Rights & Wellness (2003-2004), I held no fewer than 20 hearings to examine the possible correlation between mercury-containing vaccines and the alarming epidemic of autism in this country. A number of credible national and international scientists testified that mercury in vaccines is a contributing factor in developing neurological disorders, including, but not limited to, modest declines in intelligence quotient (IQ), autism, and Alzheimer's disease. And the body of evidence to support that conclusion gets larger every day.

The truth is that since the initiation of my vaccine investigation, two schools of science have evolved leading to two very different conclusions. The first, largely funded by the Centers for Disease Control (CDC), consist of epidemiological evaluations in Denmark that look at medical files in individuals who developed autism and deciding whether or not thimerosal exposure was more predominant in the autism patients. Those who have focused solely on the epidemiology research have concluded that there is no relationship between vaccine injury and the onset of autism. However, once published, these studies were discovered to have many methodological flaws. For example, using individuals in Denmark did not provide a true comparison to the U.S. vaccine schedule, and by the CDC's own admission, the study could not really provide any true conclusion as to whether or not a subset of the population – because of vaccine exposure to mercury or some other vaccine injury – developed autism.

The second school of research has conducted so-called 'hard' science; providing objective measures through laboratory and animal research. For example, Dr. Hornig at Columbia

University replicated the thimerosal exposure in vaccines in a mouse study and discovered mice exposed to thimerosal had both behavioral and biological responses –displaying autism like behaviors and exhibiting white matter changes in the brain that were measurable. Other laboratory research has shown that thimerosal exposure affects the protective sheath of the neurofibrils in the brain as well as the IGF-1 molecule. And Dr. Jill James at the University of Arkansas has shown that thimerosal exposure affects the methylation process - the mechanism used to regulate genes and protect DNA from some types of damage. The most recent hard science study to be published is from Dr. Burbacher, a leading expert on mercury, who investigated the different affect methyl mercury and ethyl mercury had on primates. He found that ethylmercury – the form of mercury in thimerosal – stays in the brain (doing more harm) than methylmercury.

The bottom line is that mercury is a base element and the most toxic substance known to science outside of radioactive materials; and each of these hard science studies, and more, show that it is biologically plausible for mercury exposure in vaccines to cause the onset of autism and provide tantalizing pieces in the puzzle about how. Experience also tells us that, as with any other epidemic, while there may be underlying genetic susceptibilities, there usually is some type of environmental trigger as well, such as exposure to a virus, fungus, heavy metal, or pollutant. There has never, to the best of my knowledge, been a purely genetic epidemic. So, genetics alone cannot explain how we went from 1 in 10,000 children with autism spectrum disorders twenty years ago to 1 in 150 today. Furthermore, this increase happened far too quickly for a genetic shift.

Another disturbing example of inaccurate reporting occurred further along in the interview when Dr. Snyderman claimed that vaccines no longer contain thimerosal. Again, Dr. Snyderman's claim is factually inaccurate. According to the U.S. Food and Drug Administration's (FDA) own website, mercury remains in one formulation of the DTaP vaccine, the pediatric version of the Hepatitis B vaccine, and three of the four formulations of the influenza vaccine normally administered to children and pregnant mothers – and in amounts that exceed FDA and Environmental Protection Agency safety guidelines. In terms of all of the 43 currently manufactured U.S. licensed vaccines, mercury remains in 15 of them.

Finally, I would like to express my concern over how Dr. Snyderman characterized the vaccine court proceedings. When Dr. Snyderman was asked why she felt parents were pursuing these claims on behalf of their vaccine-injured children she replied: "money." That characterization seems to be an unfair judgment about parents who are simply fighting for justice for their children who may very well have been injured by government-mandated vaccines.

History tells us that no matter how safe a vaccine is a number of people are going to be injured. That's a fact. That is why Congress created the Vaccine Injury Compensation Program in the first place, to provide compensation to families when their children are injured. This system was designed to be generous to families whose children were suffering crippling injuries. It was meant to provide compensation quickly, without a lot of legal fighting. On close calls, the families were supposed to get the benefit of the doubt. Unfortunately, that is not the way the program is working today.

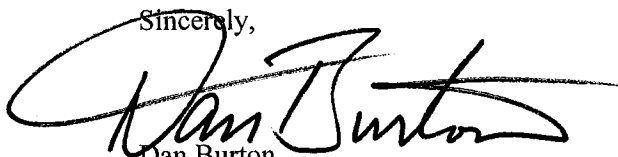
If you talk to families who have been tied up in this system, as I have, you will hear of a program that has become every bit as adversarial as the tort system it replaced. The General Accountability Office once testified before my Committee that the average case takes 2 years to complete; a third of the cases take more than 5 years; and some cases drag on for 6 or 8 or 10 years. And while the Government hires teams of medical witnesses to try to disprove families' cases – all paid out of the trust fund – the families are not reimbursed for their expenses for years, if at all. We're talking about middle class families who are already paying tens of thousands of dollars every

year to take care of severely injured children. The Vaccine Injury Compensation Program was supposed to help these people; instead these families are being put through the wringer by their own Government. The 4,800 autism families participating in this Omnibus Autism Hearing have waited a long time for their day in court. Certainly they are looking for financial assistance to help deal with the life-long needs of their injured children, but more than anything else they are looking for vindication; for someone to stand up and say yes this did happen; and for someone to take responsibility.

Autism used to be considered a rare disease, affecting only 1 out of every 10,000 individuals, according to the latest statistics the new rate is about 1 in 150. That makes autism the third most common developmental disability that children face, even more prevalent than illnesses such as Down's Syndrome and childhood cancers. In my own home State of Indiana, for example, we experienced a 923% cumulative growth rate for autism from 1992-2003. The annual growth rate of autism in Indiana averaged 27% compared to an average of 7% for the growth rate of all disabilities. Indiana's experience is unfortunately by no means unique. We are literally in the midst of a nationwide epidemic; and as a nation, I believe, we have a collective responsibility to do everything we can to stop the further spread of this disease; and that includes fair and accurate reporting of the facts. Therefore, I respectfully ask NBC News to review Dr. Snyderman's recent reporting on thimerosal and, if you agree that errors were made, do everything in your power to ensure these types of inaccuracies are not repeated in any future broadcasts.

Thank you for your personal time and attention to this grave health issue. Should you have any questions or need additional information, please do not hesitate to contact my assistant Monica Knab at 317-848-0201.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Burton". The signature is fluid and cursive, with a large initial "D" and "B".

Dan Burton  
Member of Congress

Enclosures