

Finding The Answer To Washington's Hottest Whodunit
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Quick, somebody call Sherlock Holmes. Or at least the Hardy Boys. Or maybe even newly-designated Homeland Security Secretary Tom Ridge. There's a Washington mystery that needs solving.

Everyone in D.C., it seems, is utterly baffled as to how an ugly little provision shielding pharmaceutical behemoth Eli Lilly from billions in lawsuits filed by the parents of autistic children made its way, in the 12th hour, into, of all things, the 475-page Homeland Security bill.

"It's a mystery to us," shrugged Eli Lilly spokesman Rob Smith.

It's a mystery to us, too, echoed spokesmen for the White House, the Department of Health and Human Services, and physician-turned-senator-turned-drug-company-shill Bill Frist, who had originally penned the Lilly-friendly provision for a different bill.

The haphazard lawmaking also proved baffling for pharmaceutical industry lobbyists, and for White House budget director Mitch Daniels, a former Lilly executive, who made a very public show of disavowing any knowledge of the amendment's mystifying genesis. Gosh, maybe the little provision just flew down from heaven. Or was immaculately conceived. Or maybe Osama bin Laden snuck over and planted the little public policy bomb himself.

The outrageous rider stuck onto the end of the Homeland Security bill provides security for Lilly from suits filed by the families of autistic children who believe that their kids' condition is linked to Thimerosal, a mercury-based preservative made by Lilly that used to be a common ingredient in childhood vaccines.

But in a town where knowledge is power, and where there is no shortage of people willing to take credit for even the most minute accomplishment, there has been a sudden outbreak of people playing dumb. Official Washington is observing a code of omerta that makes the Sopranos look like the loose-lipped gals on "The View." In other words: nobody's seen nothin'.

Here are the clues we have to work with: over the Veteran's Day weekend, GOP negotiators from the House and Senate hunkered down to finalize the details of the elephantine security bill. At some point -- no one is willing to say when -- someone -- no one is willing to say who -- inserted

the Lilly provision -- though no one is willing to say why.

It's vital that we solve the mystery -- even if you believe that the custom-made legislation is justified. We need to find out because this kind of behind-closed-doors monkey business is an affront to our democracy -- the very democracy this bill was theoretically designed to protect. Perhaps it should have been called "The Homeland and Lilly Protection Act."

"The ability," Rep. Dennis Kucinich, D-Ohio, told me "of a special interest group to secretly insert provisions into law for its own narrow benefit and to the detriment of the public interest raises fundamental questions about the integrity of our government."

Kucinich has vowed to lead a challenge to congressional rules that permit our representatives to do the bidding of their deep-pocket donors away from the prying eyes of the public. At the most crucial part of the bill-drafting process -- when the language of the law is being finalized -- Washington's corporate alchemists work their black magic to turn legislative gold into self-preserving lead.

"It's a defect in the system," explains Kucinich. "When a bill goes into a conference committee, it gets yanked out of the sunlight and into the shadows. The conference process is a closed one, so you can go into a conference committee and basically add anything or take out anything you want and no one really knows. It transforms the legislature into a secret cabal."

So this fight is about a lot more than pushing for the repeal of the Lilly provision, something Sens. Debbie Stabenow, D-Mich., and John McCain, R-Ariz., have promised to do when the 108th Congress convenes in January. It's about putting an end to the gaming of the system that is turning the legislative process into a prize-a-minute carnival for big contributors. "Inserting such favors for special interests in a bill is a directive that can only come from some very high places," Stabenow told me.

Intriguingly, Stabenow, McCain, and Kucinich may have found an unlikely ally in their battle -- one with a very personal stake in the issue. It turns out that Rep. Dan Burton, R-Ind., the chairman of the Government Reform and Oversight Committee, has a grandson who first began showing symptoms of autism within days of receiving vaccinations containing Thimerosal. "He became radically different," says Burton, "banging his head against the wall, running around flapping his arms. Twenty years ago we had one in 10,000 children that they thought was autistic. Now, it's more than one out of 250."

This is clearly not a left-right issue. Any politician who has waxed

lyrical about "accountability" and "transparency" -- that includes you, Mr. President -- owes it to the public to demand that Congress get to the bottom of just whose directive it was to insert into the homeland security bill a provision that has absolutely nothing to do with homeland security. And to find out whether the \$1.6 million that Lilly contributed in the last election cycle -- 79 percent of which went to Republicans -- had anything to do with the inclusion of this designer provision. And, come to think of it, whether these donations had anything to do with the Bush administration asking a federal claims court to block public access to documents unearthed in over a thousand Thimerosal-related lawsuits.

For anyone remotely familiar with the ways of Washington -- and Sherlock Holmes -- the answer should be "elementary."

We're used to having pounds of fatty pork stirred into almost every recipe Congress dishes up. But the abuse of a bill about homeland security is especially distasteful. Washington's greedy corporate masters may finally have overreached. Their continued influence constitutes a clear and present danger to our security and if the president is serious about protecting the homeland, he should speak up.

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