

Germ Warfare: Bush Declares War on the Flu

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The Nation - Jeremy Scahill - In early November George W. Bush, struggling to claw his way upward in polls that had acquired the consistency of quicksand after two months of blunders and disasters, launched a new PR blitz. The Administration declared it was taking charge of the nation's health and security with an all-out war on the flu (to be conducted with vaccines provided by well-connected pharmaceutical companies). "Our country has been given fair warning of this danger to our homeland," Bush declared. "It's my responsibility as President to take measures now to protect the American people."

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Germ Boys and Yes Men

JEREMY SCAHILL

http://images.democracynow.org/images/story_images/SimonsonMT.jpg

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But if Bush hoped to wipe away the stain of Katrina--and the memory of a hapless Michael Brown steering FEMA in circles while New Orleans drowned--he should have thought twice about bringing up the specter of a public health emergency, because the man responsible for coordinating the federal response to a flu pandemic or bioterror attack could well be the next Michael Brown.

Meet Stewart Simonson. He's the official charged by Bush with "the protection of the civilian population from acts of bioterrorism and other public health emergencies"--a well-connected, ideological, ambitious Republican with zero public health management or medical expertise, whose previous job was as a corporate lawyer for Amtrak. When Col. Lawrence Wilkerson, former chief of staff for Secretary of State Colin Powell, recently speculated, "If something comes along that is truly serious...like a major pandemic, you are going to see the ineptitude of this government in a way that will take you back to the Declaration of Independence," many of those professionally concerned with such scenarios couldn't help thinking of Simonson. They

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recalled his own unsettling words at a recent Homeland Security subcommittee hearing on government response to a chemical or biological attack: "We're learning as we go."

"Great. What we need in the middle of a crisis is somebody learning on the job at that high level of government," says Jerry Hauer, Simonson's immediate predecessor at the Office of Public Health Emergency Preparedness (OPHEP) and a veteran public health expert who served as Rudy Giuliani's director of emergency management from 1996 to 2000.

"If I was in charge, he wouldn't be in that position," says Dr. Irwin Redlener, director of the National Center for Disaster Preparedness at Columbia University. "We don't have the best and brightest in the key positions, and this leaves us in a very, very precarious situation."

So how is it that Simonson ended up in a position that could impact the lives and health of millions? Simonson's qualifications can be summed up in two words: Tommy Thompson. Simonson was a protégé of the former Health and Human Services secretary and longtime Republican governor of Wisconsin. Thompson hired him out of the University of Wisconsin Law School in 1995 and put him on the political fast track, eventually naming him as his legal counsel. Thompson then used his influence as chair of Amtrak's board to place Simonson as the rail service's corporate counsel. When Bush named Thompson as HHS secretary, Simonson again went with him, and he has been rising through the ranks of the Administration and the Republican Party ever since. "He's a political hack, a sycophant," says Ed Garvey, a prominent Wisconsin attorney and the state's former deputy attorney general. "People just laughed when he was appointed to Amtrak, but when the word came out that he was in charge of bioterrorism, it turned to alarm. When you realize that people's lives are at stake, it's frightening. It's just one of those moments when you say, Oh, my God."

What is particularly disturbing to public health professionals and others is that Simonson is in charge of insuring that the country has adequate vaccines and antivirals to combat an avian flu outbreak. "Mr. Simonson is a lawyer, not a medical expert," declared Representative Henry Waxman, who highlighted Simonson in a list of five "inexperienced individuals with political connections." The California Democrat warned that the appointment of people like Simonson has "led to legitimate public concern that those in government, particularly those who are relied upon to keep us safe from harm, are not competent or independent in their judgments." As evidence of this, Waxman cited Simonson's July appearance before the House Government Reform Committee, where Simonson "claimed he had sufficient funds to purchase influenza vaccine and antiviral medication for the nation. The next day his office submitted a funding request to Congress seeking an additional \$150 million for flu vaccine and antiviral medication."

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But it is Simonson's acquiescence in the Bush Administration's reordering of priorities in the name of the "war on terror" that has most distinguished him throughout his career at HHS. Shortly after 9/11 Thompson and Simonson began plans to create an office within HHS dedicated to combating terrorism, which became OPHEP. "When Stewart came into this, he was deputy counsel to the secretary and a very close friend of the secretary's," says Donald "DA" Henderson, named by Thompson as the founding director of OPHEP, who was given the Presidential Medal of Freedom by Bush. "Within a short period of time, this became all [Simonson] was doing--without a title."

In mid-2002, as the White House aggressively sought to convince the world that Iraq possessed weapons of mass destruction, it was engaged on another front of the propaganda war at home: convincing Americans that Saddam was poised to deploy biological weapons in an attack on American soil. It was a battle that would pit Vice President Cheney and his now-indicted chief of staff Lewis "Scooter" Libby against a team of public health experts at HHS, led by then-OPHEP chief Jerry Hauer. Inside HHS it was Simonson who emerged as the White House's key strategic ally.

From his days as Defense Secretary during the Gulf War, Cheney was intensely interested in biological warfare. Libby, who worked for Cheney as an under secretary from 1990 to '92, shares his boss's obsession with biowar. Known in the Administration as "germ boy," Libby was obsessed with pre-emptively vaccinating the entire population against smallpox. (The fixation even extended to Libby's 1996 novel, *The Apprentice*, about a smallpox epidemic.) Shortly after 9/11 Cheney and Libby were briefed on a war game called *Dark Winter*, which simulated a smallpox attack on the United States. Interestingly, New York Times reporter Judith Miller, who penned a book called *Germs*, had taken part in the exercise, playing a reporter covering the attack. "It's a dramatic briefing," Libby told the *Washington Post*, "but we were well on this road already." Libby said that Cheney advocated "a forward-leaning position on protecting Americans from this threat."

Many in the public health community regarded Cheney and Libby's calls for mass smallpox vaccinations as fearmongering. Hauer, who also took part in *Dark Winter*, was among those asking uncomfortably probing questions. Hauer butted heads directly with Libby and his deputy on homeland security, Carole Kuntz. Another veteran of the first Bush Administration, Kuntz was Libby's special assistant at the Pentagon when Cheney was Defense Secretary. "The risks of vaccinating the whole country were greater than what we saw as the threat," says Hauer. "You're so focused on smallpox you lose perspective on all the other planning you're trying to do and nobody could make a good medical or public health case." Hauer, who ultimately would have been in charge of implementing Libby's program, says he had no choice but to oppose the plan. "There were times I felt you had to not be a yes man. You do an enormous disservice when you do that." Hauer says that when he raised objections to mass smallpox vaccinations,

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Kuntz became "downright offensive." Hauer adds, "It was very clear that I was not giving her the answers she wanted or telling her what she wanted to hear."

Like so many other instances when expert knowledge was discarded in the run-up to war, the bioterror obsession could well have long-term consequences. "It has been four years of throwing money at a perceived threat with very little to show for it," says Columbia's Dr. Redlener. Many public health experts say that the billions spent preparing for these imagined threats have left the country dangerously unprepared for actual ones, including the very real possibility of an avian flu outbreak, which is only now being addressed.

Cheney's office was eventually forced to back off its call for universal vaccinations, but the Administration persisted in hyping the threat of a bioterror attack. In early 2003 Bush announced a major biodefense initiative during his now infamous State of the Union address, laced with references to Iraq's alleged WMDs, including the fraudulent evidence about Iraq attempting to import uranium from Niger. Bush spoke of the prospect of terror attacks with anthrax, botulinum toxin, Ebola and plague. "We must assume that our enemies would use these diseases as weapons," he told the nation. The \$6 billion plan was called Project Bioshield. Bush named Cheney as his point man on the project; at HHS it was Stewart Simonson.

Bioshield quickly became the main focus of OPHEP's work. For eighteen months, according to current and former HHS officials, Simonson worked diligently with Cheney's office to win Congressional approval for the program. Cheney scared up support for the plan, personally telling lawmakers Bioshield was "life on the planet stuff." Henderson says that Simonson's close contacts at the White House were "very helpful working with the Bioshield legislation."

At the time, Hauer was still heading OPHEP, while Simonson was Thompson's deputy legal counsel. According to former and current HHS officials, a power struggle developed between Hauer--who had already angered the Vice President's office with his opposition to the smallpox plan--and the well-connected Simonson. Hauer was critical of the way Bioshield was being thrown together and disagreed with Simonson on the priorities emerging within HHS, which increasingly privileged "war on terror"-related programs over preparing city and state governments and agencies for disasters, as well as over plans vital to public health, like preparing for a flu epidemic.

"Bioshield was a disaster," says Hauer. "It was done half-assed.... Instead of doing it right, they rushed to get it done so that they could announce it in the State of the Union." Hauer alleges

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that while Bioshield was being developed, the White House political office, led by Karl Rove, was seeking to undermine his authority. A couple of years before, Hauer, a Democrat, had aroused the ire of his former boss, Rudy Giuliani, after he publicly endorsed Mark Green over Michael Bloomberg in the 2001 New York City mayoral race. When he subsequently went to Washington to work for HHS, his title remained "acting" assistant secretary because the White House refused to officially approve his appointment. "The White House was not going to confirm me, particularly after the folks in New York were calling saying I supported a Democrat. I'm a Democrat. It was as simple as that." Still, he says, Thompson backed him and retained him at HHS despite the political pressure.

By March 2003, however, Hauer had been stripped of much of his authority, and he knew his days were numbered. Simonson intervened to prevent Hauer from attending a briefing in Thompson's office on Bioshield. In a March 24 e-mail to Thompson's briefing coordinator Simonson wrote, "Bioshield does not involve Jerry so I am unclear as to why he invited [sic]."

With the 2004 election a year away, and the environment at the agency becoming more hostile, Hauer says he could not in good faith continue to work for the Administration. "The political side of this White House is very vindictive," says Hauer. He says it was made clear to him that if he was not willing to endorse the President and "attend events," it was time to move on. "I don't want to be disrespectful of the office of the presidency," Hauer says. "I just felt that things needed a change, so I could not be part of the Administration and not support the White House. Plus, the fact is there was enormous frustration at HHS in large part because of Stewart."

In April 2004, with Hauer out of the way, Bush named Simonson director of OPHEP. Hauer says that with Simonson the Administration has "somebody they know will go along with pretty much anything they want." On July 21, a day before the 9/11 commission issued its findings, Bush signed Bioshield into law. The White House released a statement saying, "Today's action is just the latest step the President has taken to win the War on Terror and protect our homeland."

Even within the "war on terror" community, Bioshield has proved controversial. That's because more than 80 percent of the nearly \$1 billion allocated under the program has gone to a scandal-plagued company that has never successfully produced an FDA-licensed vaccine. In November 2004 California-based VaxGen was handed one of the largest government vaccine contracts in history. The company is largely known for its failed AIDS vaccine, and just a few months before VaxGen won the Bioshield contract, the Nasdaq took the unusual step of delisting it from trading because of financial irregularities. So why did it get the contract? "I have no idea why VaxGen was selected," admits Henderson, who remains chair of the influential Secretary's Advisory Council at HHS. "It's not for me to decide whether it's a good idea or not."

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But it was for Simonson and his staff. And as with many Bush Administration contracts, several signs point to cronyism as the deciding factor--among them: VaxGen CEO Lance Gordon is a longtime associate of one of Simonson's top deputies on Bioshield, Dr. Phil Russell, former chief of Army medical research.

Now a powerful group of Republican lawmakers is pushing "Bioshield 2" through Congress. The legislation would strip people injured by vaccines of their right to sue manufacturers and would virtually eliminate pharmaceutical corporate accountability. The legislation would also make the newly created Biomedical Advanced Research and Development Agency the only federal agency exempt from the Freedom of Information Act.

Simonson did not return numerous messages left for him at his office. But Thompson stands by him, as does Henderson. "This is not necessarily somebody who has got a lot of depth of background here, but you can get people who have a variety of expertise. I would liken it to having a CEO in a company," says Henderson, adding that Simonson "may not have been qualified but he is a real learner.... We are where we are today because Stewart pressed this very hard. He read a lot, he talked a lot, he learned a lot."

Perhaps not quite enough, because where we are today, according to many public health experts, is unprepared.