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- Q. According to NBC, there was a meeting here at the White House yesterday with the President and Secretary Mathews to discuss the flu epidemic that the nation may experienced next fall.
- A. Secretary Mathews and Dr. Theodore Cooper, Assistant Secretary for Health at HEW, did meet with the President yesterday morning to discuss the potential of a flu problem. Other staff members attending the meeting were Jim Lynn, Jim Cannon, Paul O'Neill, Jim Cavanaugh, Dick Cheney, and Jack Marsh.

Secretary Mathews and Dr. Cooper reported to the President on the outlook for a potential flu epidemic facing the country next fall and discussed a number of possible alternative approaches that would involve some actions by the Federal government.

The President indicated to Secretary Mathews that he wanted to review this week what specific steps the Federal government could and should take to do everything possible to see that a potentially serious epidemic can be contained.

Secretary Mathews and Dr. Cooper will meet again with the President on Wednesday to report their specific recommendations.

JHC
3/23/76

July 2, 1976

SUBJECT: FLU VACCINE INDEMNITY BILL

Yesterday the House Health subcommittee rejected a proposal to insure vaccine manufacturers against all claims associated with the manufacture, distribution or inoculation of the vaccine except those relating to the production itself. Otherwise, the manufacturers claim, the risks are too great to warrant production. Paul Rodgers, head of the subcommittee, said that the indemnity issue should be handled by agreement, rather than by law.

Doesn't this jeopardize the President's plan to immunize everyone? How does he feel about this?

Starting this morning, HEW health and legal officials are meeting with the drug manufacturers to see if they can reach agreement on appropriate contract language to solve the problem of indemnity to the vaccine manufacturers.

The President feels today as he did at the time he proposed the immunization program that it is needed to protect the American people from another potential outbreak of this deadly virus, and the scientific data developed since his proposal supports this belief.

What about the New York Times story this morning that this virus would be no more deadly than any other strain of virus in recent years?

You should read the entire article, and not just the headlines.

The Doctor who was interviewed wholly endorses the immunization program, and he cites that this is the first time a flu virus strain has been identified far enough in advance to attempt mass inoculation against it. If it had been possible, we would have inoculated people against other flues that were not deadly.

(Nonetheless, this is the strain that killed 500,000 Americans in 1918-19.)

July 20, 1976

SUBJECT:

SWINE FLU--
THE LAST WORD

Yesterday speculation about the problems confronting the swine flu vaccination program grew, both in light of HEW's apparent failure to reach agreement between the drug manufacturers and the insurance carriers, as well as the President's press conference remarks that he would "find a way, with or without Congress, to carry out this program."

What is the President intending to do about the apparent failure of HEW to help the drug manufacturers and insurance carriers to reach agreement? Also, what did the President mean when he said that he would carry out this program "with or without" the support of Congress?

GUIDANCE: The President has been apprised on a continuing basis of the developments in the HEW negotiations with the drug manufacturers and insurance carriers, as well as all other areas of the vaccine production. Just this morning, he directed the Secretary of HEW to take appropriate steps necessary to insure continued production of the vaccine.

Also this morning Dr. Ted Cooper, the Assistant Secretary of HEW for Health, is meeting in an executive hearing session with the House Health Subcommittee to discuss the steps needed to insure implementation of the vaccine program. We are waiting to hear the results of the hearing before we proceed further.

As for the President's remarks yesterday, he was simply emphasizing his strong and unwavering support for the implementation of this important program. He continues to believe that the vaccine can and must be administered, just as close to the original schedule as possible.

Background: This a.m. Cooper et al met with Cannon, Cavanaugh, and O'Neill and discussed a list of options. Depending on subcommittee outcome, we may have something further by this afternoon.



August 2, 1976

SUBJECT:

SWINE FLU VACCINE

Over the weekend the press carried stories of HEW's continuing effort to work with the insurance companies to get agreement on HEW's indemnity proposal that would free the drug manufacturers from liability resulting from "nuisance" suits.

What is the status of the negotiations with the insurance companies--are you optimistic that a settlement can be reached?

GUIDANCE: HEW has, as you know, been working steadily on this problem with the drug manufacturers, the insurance carriers, and the Congress. The Secretary at this time is still negotiating with the insurance companies. We are optimistic that an arrangement acceptable to all will be reached shortly, and that we can proceed with the vaccination program the President feels is so badly needed.

Note: HEW is now trying to get final sign-off on a piece of legislation that would bring the vaccination program under the Federal Torts Claim Act, and get the manufacturers off the hook.

ME

August 3, 1976

SUBJECT:

SWINE FLU (WOULD YOU
BELIEVE?)

Yesterday it was discovered that as many as fourteen people (It is now up to seventeen.) died following an American Legion Convention in Philadelphia held July 21-24. In a press conference, the Pennsylvania director of Health Services mentioned there is a possibility the deaths may have been caused by swine flu.

What is the White House going to do about this possible outbreak of swine flu?

GUIDANCE: First of all, it will be at least 36 more hours before we know the results of the testing of samples that is being done by the Communicable Disease Center in Atlanta. They are trying to determine if there is any presence of the swine-type virus.

Secondly, Secretary Mathews met on the Hill today with the House Health Subcommittee headed by Paul Rogers, and made a new proposal concerning indemnity insurance coverage for the manufacturers of the vaccine. The new legislation would be in the form of an amendment to the Federal Torts Claim Act, which, in effect, would make anyone involved in the process of giving out the vaccine an agent of the Federal Government.

The President is hopeful that this meeting will result in the quick passage of legislation, so we can get on with the vaccination program immediately.

ME

September 2, 1976

SUBJECT:

SWINE FLU VACCINE

In a letter to manufacturers of the Swine Flu vaccine - Richardson-Merrill Inc., Merck & Co., Wyeth Laboratories, and Parke Davis & Co.- dated August 31 and released yesterday, HEW Secretary Matthews said that the bottling of Swine Flu vaccine (not production, as the Washington Post reported) has fallen so far behind schedule that only one-quarter the expected doses will be ready for public distribution when the vaccination program starts October 1st.

QUESTION: What is the President's reaction to this delay?
How will it affect the vaccination program?
Why didn't HEW urge the manufactruers to begin bottling the vaccine earlier?

GUIDANCE: The President is concerned over the delay, but HEW officials are working with the manufacturers to step up the bottling, and they are confident the program can proceed and will be up to full strength by the end of November.

The delay will, of course, slow down the immunization program. But some vaccine will be available for every state, and will be administered on a selective basis:

1. To the high risk groups: the elderly and those with respiratory problems.
2. To all others.

The major reason for the delay in bottling the vaccine was the reluctance of the manufacturers to procede until they and their insurance companies could work out an agreement over payments for liability. That stalemate was ended August 11 when Congress voted to assume first risk in any lawsuits.

HEW had been led to believe by manufacturers that they were bottling at maximum rate and that there would be no delay in the scheduled delivery. Now most of the vaccine will be available in late October and November.

JBS

November 16, 1976

SWINE FLU VIRUS

SUBJECT:

Question: Why is there not enough split virus flu vaccine available to immunize all American children?

Guidance:

1. It should be recognized that the overall program is doing well. We estimate that approximately 20 million people have already been immunized, a higher number than ever before.
2. The shortage is of a particular type. General swine flu vaccine is now available for all who want it.
3. Reason for the shortage: One company, Parke-Davis, makes the bulk of the split virus. Most of their production has been devoted to making a combination vaccine - split virus swine vaccine combined with A-Victoria virus vaccine which was recommended by the Public Health Service last spring to protect the high risk group - the elderly and chronically ill. As a result, there reserves of the split virus swine flu vaccine were low. They have now produced two large batches amounting to approximately 1-1/2 million doses, which has just been cleared by the Food and Drug Administration and which will be shipped out this week.

Question: Why wasn't this need for more split virus vaccine anticipated?

Guidance: Because it was not until clinical tests had been completed late last month that it was found that children responded better (less fever, other symptoms) to a split vaccine, and the need was realized. There was no way to anticipate the results of those clinical tests.

JBS/11-16-76

SWINE FLU BILL

Q. When will the President sign swine flu?

A. The bill hasn't arrived yet. It is our understanding from the Hill the bill will arrive this afternoon. We will have OMB look at it, but I anticipate the President will sign it promptly.

Q. Does that mean today?

A. I wouldn't look for it today. But it could come as early as tomorrow.

Q. Will there be a ceremony?

A. I would look for a public signing. ~~_____~~
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