

# Project On Government Oversight

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July 20, 2009

To Kathleen.Sebelius@hhs.gov  
and by fax to 202-690-7203

The Honorable Kathleen Sebelius  
Secretary, U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

Subject: Production of vaccine for H1N1 swine flu. Needed: greater transparency

Dear Secretary Sebelius:

The Project On Government Oversight, an independent, nonprofit organization, recognizes that your office must deal with the host of problems created by the H1N1 swine flu pandemic. Among these problems is the likelihood that adequate amounts of vaccine will not be ready in time – partly as a result of misjudgments and mistakes made in the past. A failure to disclose and examine these mistakes publicly – in other words, a lack of transparency – will almost certainly contribute to the shortage of vaccine in the months ahead.

The lack of transparency in the government's vaccine program is the subject of the attached Commentary by POGO's staff scientist. That Commentary is being posted today on POGO's website at <http://www.pogo.org/pogo-files/alerts/public-health/ph-pfv-20090720.html>. The Commentary gives three examples of a lack of transparency that ought to be corrected and also cites a March 2008 report by POGO for additional examples. As Executive Director of POGO, I am writing to call your attention to this Commentary and its recommendations.

POGO urges you to ensure full transparency in the government's flu vaccine program – public disclosure of all significant information except for that required by law to be kept confidential.

As Secretary of HHS, you alone have the power to make sure that not only the strengths, but the weaknesses of the present program for producing vaccine are made public. If you exercise this power, the weaknesses will be open to examination and criticism – and thus to correction or improvement. Unlike most other ways to speed up the manufacture of flu vaccine, a directive to ensure full transparency can be implemented quickly and at very low cost.

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I urge you to take this step. I would welcome meeting with you and your associates to discuss this important issue.

Sincerely,

A handwritten signature in black ink that reads "Danielle Brian". The signature is fluid and cursive, with the first name "Danielle" written in a larger, more prominent script than the last name "Brian".

Danielle Brian  
Executive Director  
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Attachment: Commentary of July 20 by Ned Feder, M.D., POGO Staff Scientist