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July 22, 2022

VIA EMAIL AND FED EX

Katherine Fleming-Dutra, MD
Medical Officer
COVID-19 Vaccine Policy Unit
National Center for Immunization and Respiratory Diseases
Centers for Disease Control and Prevention
Room 6105, Duty Station GA 30333
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Re: *Inaccurate Data in Your Presentations at the June 14, 2022 VRBPAC and June 17, 2022 ACIP Meetings*

Dear Dr. Fleming-Dutra:

On behalf of Informed Consent Action Network (“ICAN”), we write regarding your presentations at the June 14, 2022 VRBPAC and June 17, 2022 ACIP meetings titled *COVID-19 Epidemiology and Disease Burden in Infants, Children and Adolescents*, wherein you presented inaccurate data indicating that COVID-19 ranks in the top five leading causes of death among children ages 0-19 years-old.¹ Your slides presenting this information cite a British pre-publication study from May 25, 2022, titled *Covid-19 is a leading cause of death in children and young people ages 0-19 years in the United States*.²

As we hope you are now aware, the study you cited falsely claimed that COVID-19 is one of the top five leading causes of death in children and young people ages 0-19 years in the United States.³ The study erred by, *inter alia*, (i) comparing COVID-19 deaths during a 26-month period with deaths from other causes during 12-month periods, and (ii) including in the analysis deaths where COVID-19 was not an underlying cause of death (and therefore, overcounting COVID-19 deaths). Fortunately, on June 19, 2022, the study’s lead author announced that after receiving

¹ <https://www.fda.gov/media/159222/download> at 30; <https://www.cdc.gov/vaccines/acip/meetings/downloads/slides-2022-06-17-18/02-COVID-Fleming-Dutra-508.pdf> at 26.

² Flaxman, Seth, *et al.*, *Covid-19 is a leading cause of death in children and young people ages 0-19 in the United States*, MedRxiv (May 25, 2022), <https://www.medrxiv.org/content/10.1101/2022.05.23.22275458v1>.

³ See <https://www.medrxiv.org/content/10.1101/2022.05.23.22275458v3.article-info> (Revision Summary).

“some feedback and criticism” the study would be updated.⁴ Ultimately, on June 28, 2022, the updated version was published. When the more accurate source of COVID-19 deaths was used (CDC WONDER) and an equivalent time period was assessed to recreate the rankings, instead of coming in at 4th or 5th, depending on the age range, COVID-19 ranks 8th among the top ten leading causes of death for this age group overall (0-19-year-olds). Even these more accurate results overstate the impact of COVID-19 as it constitutes less than 5% of the deaths from the top ten causes in each age group.⁵ Regardless, COVID-19 is not a “top five” cause of death for the age range at issue as you stated in your presentations.

It is deeply concerning that, as a presenter, you did not vet and confirm the pre-print study you cited before asserting it as fact to individuals tasked with weighing the risks and benefits of a novel vaccine for babies and children. It is equally troubling that no one on VRBPAC or ACIP questioned the data. Because both VRBPAC and ACIP likely relied on your presentation, and the inaccurate data it contained when making their recommendations, ICAN requests that you immediately issue a correction to your VRBPAC and ACIP presentations and indicate to the committees and to the public that the data relied upon in your presentation has since been corrected.

ICAN looks forward to your prompt response.

Very truly yours,



Elizabeth A. Brehm, Esq.
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cc: Members,
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⁴ https://twitter.com/flaxter/status/1538533537355288577?s=20&t=J0WQWP_3FnQob8ePqv8siA.

⁵ <https://www.medrxiv.org/content/10.1101/2022.05.23.22275458v3>. A side-by-side comparison of the two versions can be found here: <https://draftable.com/compare/JUMoilBlbfKR>.