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PARENTS SAY MERCURY IN INJECTIONS CAUSED LIFELONG BRAIN DISORDERS IN THEIR CHILDREN

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As parents of two severely autistic boys, Kevin and Cheryl Dass of Kansas City, Mo., face a world of heart-ache and worry.

Last year Kevin, a FedEx driver, and Cheryl, a part-time hairdresser, spent \$27,000 on therapy for their sons. Financially exhausted, they are gnawed by these questions:

How will they continue the special help that Dillon and Kyle, their 4 1/2-year-old twins, so desperately need? Will the boys -- who barely speak, are not toilet trained and become severely upset when taken out in public -- ever be able to live on their own? If not, what will become of them when Kevin and Cheryl are gone?

"It's torn our life apart, it really has," Kevin Dass says.

And, he insists, it didn't have to happen. The boys were born prematurely and alarmingly small. Yet at 3 1/2 months, Dass says, they got four immunizations in one day, including three containing small amounts of mercury, a neurotoxin.

"They were still in the hospital on oxygen, staying alive, and they put this poison in them," Dass says. "They were fried. They were totally fried."

Like many anguished parents of autistic kids, the Dasses blame the condition on thimerosal, a mercury-based preservative that until recently was added to many routine children's shots.

Thimerosal was used to keep bacteria out of vaccines sold in multi-dose vials. But there were no studies beforehand of its possible effects on the developing brains of infants. And health officials, who aggressively expanded immunizations during the 1990s, did not consider that mercury exposure for millions of children would exceed federal guidelines.

Now, more than 4,200 families are demanding compensation to help pay for their kids' special needs. Their claims have inundated an obscure branch of the U.S. Court of Federal Claims in Washington, D.C., often called the "vaccine court."

The parents are pushing a disturbing theory: that their children were casualties of the war on disease, suffering brain damage from thimerosal by itself, or in combination with measles virus in the measles-mumps-rubella vaccine. They blame mercury from vaccines and other sources for an epidemic rise in autism and related neurological disorders.

Vaccine makers and health officials strenuously dispute the claims. While voicing compassion

for the children and their families, they say there is no proof that tiny exposures -- typically 1 part mercury per 10,000 parts of vaccine -- can cause brain damage.

"There's simply no reliable scientific evidence" that thimerosal causes autism, said Loren Cooper, assistant general counsel for GlaxoSmithKline, a global pharmaceutical manufacturer.

Dr. Stephen Cocchi, head of the national immunization program at the U.S. Centers for Disease Control and Prevention, claims that only "junk scientists and charlatans" support the thimerosal-autism link. In response, parent activists point out that some studies have indicated a link.

At stake are not only vast sums of money but reputations and careers. Vaccine makers face a potential litigation nightmare. And the allegations impugn two agencies: the Food and Drug Administration, which licenses vaccines; and the CDC, which is in charge of seeing that children are immunized against everything from polio to whooping cough.

The immunization program has been hailed as a spectacular success, responsible for saving countless children from illness and death. But if the parents are right, thousands of children have collateral damage.

For now, the main battleground is a tiny tribunal most people have never heard of.

The vaccine court was created in 1986 as Congress's response to a liability crisis. In rare cases, shots were being blamed for catastrophic injuries and even death. Vaccine makers were threatening to quit the business, which in turn threatened the vaccine supply.

The National Vaccine Injury Compensation Act shielded the industry from civil litigation by instituting a system of no-fault compensation. Under the law, aggrieved families file petitions that are heard by special masters in the vaccine court. Successful claims are paid from a trust fund fed by a 75-cent surcharge per vaccine dose. The Department of Health and Human Services oversees the trust fund, with the Justice Department acting as its lawyer.

The autism case is approaching a crucial stage: a hearing within the next few months in which experts will joust over whether mercury causes autism.

If the verdict is no, the case ends there. If the special master finds for the parents, individual claims will be heard. A flood of successful claims could exhaust the \$2 billion trust fund.

Big vaccine makers such as Merck, Wyeth, and Aventis-Pasteur, along with Glaxo, are watching with trepidation. Although safe from liability in the vaccine court, the companies are anxious because claims have begun to appear in the civil courts.