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Civilian Employer COVID-19 Violations

August 15, 2022
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To Elected Leaders and State Attorneys General

SUMMARY

Government agencies (e.g., VA, ICE, FSA) administrators and supervisors are at risk of prosecution by State Attorneys General for violating international treaties, federal statutes, state statutes and regulations for penalizing employees who refuse to participate in a COVID-19 experimental substance.

Private corporations are also at risk of significant remedial actions in civil courts for violating the federally protected rights of citizens to refuse COVID-19 experimental substance administration without incurring a penalty or losing a benefit to which citizens are otherwise entitled.

Both aforementioned entities have assaulted the fundamental 14th Amendment rights of citizens to be treated equally before the law. They have also potentially committed felonies under health privacy statutes. This document will present the facts to substantiate these claims so that authorities may take appropriate action to remedy the injustice perpetrated against law-abiding citizens.

Please note there are several statutory laws involved in products authorized for access under an Emergency Use Authorization (EUA). The author's desire is to provide a basic understanding of those statutes to better understand how they interconnect, as well as the indisputable right to refuse an experimental substance without incurring a penalty.

COVID-19 VACCINE FACTS

An IND is legally defined as "a substance that has been tested in the laboratory and approved by the U.S. Food and Drug Administration (FDA) for testing in people. Also called an experimental drug, IND, investigational agent, and investigational new drug

(*National Cancer Institute (NCI) Dictionary of Cancer Terms*, 2022)." To involve a human in an investigational new drug under any element of research is legally considered medical experimentation. No FDA-licensed and approved vaccines are known to be available to individuals subjected to the COVID-19 vaccine mandate. As of August 15, 2022, only COVID-19 Investigational New Drugs (IND) are commercially available to American citizens.

UNDERSTANDING SECTION 564

21 U.S. Code contains a set of statutes providing the Health and Human Services (HHS) Secretary authority to grant Americans access to experimental medical products when certain conditions warrant. Some of those conditions might be the medical requirements of an individual; small investigatory research group; or under emergency access protocols. 21 U.S. Code §360bbb-3 (Section 564) provides the HHS Secretary authority to grant Americans access to experimental medical products under a provision known as "broad access" when a medical emergency has been declared.

Congress requires the HHS Secretary to assign a classification to each medical product before access is granted (§360bbb-2) so that government entities understand the regulatory framework for legal purposes. Without such classification, government entities have no authority over those substances. Furthermore, courts could not adjudicate litigation for respective administrative duties because the source of authority is derived from drug classification statutes and regulations.

Congress requires the HHS Secretary to issue an EUA letter to the pharmaceutical company requesting one of their products to be utilized for emergency purposes if the Secretary believes the product "may have benefit" for its intended purpose.

Congress restricts the HHS Secretary from issuing an EUA if a FDA-licensed and approved product already exists in the market. Therefore, once a COVID-19 FDA-licensed product reaches the market, the authority to issue an EUA for the current pandemic automatically ends by statute.

REQUIRED CONDITIONS OF SECTION 564 AUTHORIZATION

1) Congress requires the HHS Secretary to issue a Scope of Authorization outlining the regulatory requirements to be followed by all parties that "volunteer" to participate (e.g., emergency

stakeholders, pharmaceutical companies, distributors, health care providers).

2) Congress requires the following information to be provided to individuals participating in the medical product:
    a) That HHS Secretary has authorized access
    b) Risks and benefits of the product
    c) The option to accept or refuse the product (informed consent)
    d) Consequences (health) of not taking the product
    e) Alternatives to the product
    f) Risks and benefits of those alternatives
3) Congress requires the HHS Secretary to ensure "appropriate conditions on who may administer the product with respect to the emergency use of the product, and on the categories of individuals to whom, **and the circumstances under which**, the product may be administered with respect to such use."
4) Congress requires the HHS Secretary to guarantee "appropriate conditions with respect to collection and **analysis of information** concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period."
5) Congress notified the nation that, "nothing in this section provides the HHS Secretary any authority **to require any person to carry out any activity** that becomes lawful pursuant to an authorization under this section." This is a required statement because of liability immunities granted to participating entities including pharmaceutical companies.

Section 564 only grants the HHS Secretary authority to provide Americans access to experimental products during a declared emergency; Congress made no other claim. Congress requires the Secretary to establish the circumstances under which Section 564 COVID-19 vaccines may be administered and denies authority to the Secretary to require anyone to participate in those products.

No Governor, CEO, or federal agency Director will be able to declare any statute in Section 564 provides them authority to require participation under duress in EUA substances.

The FDA declares that informed consent is not "generally" required under Section 564 – a legal fallacy. Suppose a chemical, biological, radiological, and or nuclear (CBRN) event releases an unknown agent causing significant harm to a large population who are all seeking immediate health care. In that case, the HHS Secretary can remove the "informed" part of the equation if not practical, but is never authorized to remove the right of consent from any individual.

Some attorneys unethically construe the word "consequences" to mean civil violation. However, this is judicial heresy of the highest order. Section 564 does not authorize any person to enforce participation under duress. Such arguments conflict with Congress providing individuals with the "option to accept and refuse" emergency-use products. Furthermore, civil infractions and/or criminal violations must be authorized by a legislative body and pre-published to have the force of law. Congress did not legislate penalties for non-participation. In 2007 the FDA guided authorities to notify individuals of the "consequences of not taking / using [product], including possible **health** effects…and of stopping the use of [product] **against the recommendation of the health care provider**."

PFIZER EUA

On August 23, 2021, the FDA issued an EUA letter to Pfizer for their BioNTech COVID-19 Vaccine. Some of the FDA listed requirements under its Scope of Authorization include:

1) "Pfizer Inc. must submit an **Investigational New Drug** application (IND) number 19736." This was the HHS Secretary assigning an IND classification to Pfizer's experimental substance complying with Section 564 requirements.
2) All printed matter relating to the use of the Pfizer-BioNTech COVID-19 Vaccine shall clearly and conspicuously state that: "This product **has not been approved or licensed** by the FDA."
3) That "product-specific information **required to be made available** to vaccination providers and **recipients**" known as the Drug Fact Sheet.

INTERCHANGEABILITY

The FDA provided notice to Pfizer on August 23, 2021, that both of their COVID-19 vaccines (i.e., COMIRNATY and Pfizer-BioNTech COVID-19 Vaccine) have the same formulation and may be used interchangeably to fulfill the vaccination series. That same day, Pfizer issued a press release echoing that statement saying, "the FDA-approved COMIRNATY® (COVID-19 Vaccine, mRNA) and the EUA-authorized Pfizer-BioNTech COVID-19 Vaccine have the same formulation and can be used interchangeably to provide the COVID-19 vaccination series. An individual **may be offered either** COMIRNATY® (COVID-19 Vaccine, mRNA) or the Pfizer-BioNTech COVID-19 Vaccine **to prevent** coronavirus disease 2019 (COVID-19) caused by SARS-CoV-2."

Pfizer, Inc. defines interchangeably as an option to use either the experimental or the approved vaccine to fulfill the same medical purpose. Therefore, this scientific statement is explicitly related to their products and may not be utilized by authorities as the legal basis to bypass statutes protecting human subjects involved in INDs under an EUA.

Neither private business (e.g., Pfizer, Inc.) nor government entities (e.g., FDA) have the authority to exempt themselves from congressional statutes governing the administration of EUA substances.

COVID-19 vaccines classified by the FDA as an IND require the informed consent of the individual before their administration. This requirement is based on drug classification irrespective of another drug sharing the same formula. Congress did not provide a statute allowing an experimental substance to be used as a full licensure drug based on formulation.

Health care providers must administer the Pfizer-BioNTech COVID-19 Vaccine according to the Scope of Authorization outlined in the FDA's EUA (i.e., during a declared public health emergency). However, those health care providers are not under such requirements when administering the FDA-approved COMIRNATY despite both vaccines sharing the same formulation. This legal fact demonstrates the requirement of Congress for authorities to abide by a drug label and not a drug's formulation.

The Department of Justice (DOJ) will not be able to produce a single federal statute providing an exemption from informed consent requirements based on a formula. All such statutes are based on the product's labeling, which is why the Centers for Disease

Control (CDC) only provided guidance based on voluntary participation. The CDC never issued guidance requiring compliance under threat of penalty and conspicuously stated, "...with vaccine being provided by the federal government — to ensure all people in the United States **who wish** to be vaccinated can receive vaccines without barriers, to the greatest extent possible." The declaration of "who wish" is required by statute because their recommendations include both FDA-licensed and FDA-classified experimental substances.

Neither government nor corporate leaders are able to produce a single statute or FDA guidance legally authorizing utilization of classified experimental substances "as if" they are full licensure drugs for legal purposes of vaccine mandates.

Pfizer and BioNTech's COVID-19 vaccines may share the same formulation, but they do not share the same classification. On August 23, 2021 the FDA informed governments and corporations of the two drugs' legal distinctions because these have significant legal consequences for citizens depending on their choice.

Can statutes associated with Pfizer COMIRNATY be used interchangeably with statutes that govern Pfizer/BioNTech COVID-19 Vaccine in a court of law because they share the same formulation? Absolutely not! A competent judge would immediately dismiss such a claim. Lawyers guiding governmental and corporate entities to use a non-approved substance as if it is a full-licensure drug for purposes of legal mandates should be disbarred for abject failure to distinguish the proper course of action as written.

Legal Fact #1: Congress explicitly provided Americans with the absolute right to refuse participation in EUA experimental products. There does not exist a legal means by which authorities can mandate participation under threat of penalty. The interchangeable argument was pre-planned to confuse an entire nation about their right to refuse COVID-19 IND vaccines. Simply because the FDA and Pfizer declare that both substances fulfill the same medical purpose does not confer authority by statute to subject Americans to medical experimentation without their free will and voluntary consent. Furthermore, Pfizer has yet to ship COMIRNATY, so it is physically impossible to use both substances 'interchangeably' for any purpose.

INSTITUTIONAL REVIEW BOARDS AND EUA SUBSTANCES

By statute, substances classified by the FDA as an IND undergo rigorous scrutiny of an Institutional Review Board (IRB). All COVID-19 vaccines available for administration as of this report's date are classified by the FDA as IND subject to the IRB.

"IRB reviews help to ensure that research participants are protected from research-related risks and treated ethically, a necessary prerequisite for maintaining the public's trust in the research enterprise and allowing science to advance for the common good." - HHS (IRB Regulations, 2018)

"The purpose of IRB review is to assure, both in advance and by periodic review, that appropriate steps are taken to protect the rights and welfare of humans participating as subjects in the research." - FDA (IRB Purpose, 2019)

"IRBs **must comply with** HHS and FDA regulations in **45 CFR part 46** and 21 CFR parts 50 and 56, respectively, when reviewing research subject to those regulations."- HHS (ibid.)

Some lawyers unscrupulously contend that 45 CFR 46 regulations do not pertain to substances under an EUA because 45 CFR 46 only applies to 'clinical studies.' This argument is a wilful attempt to mislead the court. Research is defined as (45 CFR 46.102(l)) "a systematic investigation, including research development, testing, and evaluation, **designed to develop or contribute to generalizable knowledge**." A definition for clinical studies denoting such activities falls under the policy, but the policy *is not limited to* that narrow scope of research. Research can include clinical studies, data gathering, investigational activities outside of clinical research, and monitoring efforts.

Section 564 clearly defines the required research for authorization as establishing "appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period."

For those inside the biomedical industry, such knowledge is a foregone conclusion. These facts are pointed out because a) defense lawyers are misleading courts on what constitutes 'research' and because b) plaintiff attorneys are wholly unaware of IRB involvement in substances classified by the FDA as INDs.

Understanding the basic concepts of 45 CFR 46 will help illuminate everyone's right to refuse administration of Pfizer/BioNTech COVID-19 Vaccine without penalty:

> 45 CFR 46.101(a) "this policy applies to **all research** involving human subjects conducted, supported, or otherwise subject to regulation **by any Federal department or agency** that takes appropriate administrative action to make the policy applicable to such research. This includes research conducted by Federal civilian employees or military personnel…"
>
> 45 CFR 46.101(c) "Department or agency heads retain final judgment as to whether a particular activity is covered by this policy and this judgment shall be exercised consistent with the ethical principles of the **Belmont Report**."
>
> 45 CFR 46.101(i) "Unless otherwise required by law, department or agency heads **may waive** the applicability of some or all of the provisions of this policy… **provided** the alternative procedures to be followed are consistent with the principles of the **Belmont Report.**"

45 CFR 46 speaks to the general requirements of informed consent whether that consent is provided in written or oral form:

> 45 CFR 46.116(a)(1) "Before involving a human subject in research covered by this policy, an investigator **shall obtain the legally effective informed consent** of the subject or the subject's legally authorized representative."
>
> 45 CFR 46.116(a)(2) "An investigator shall seek informed consent only under circumstances that provide the prospective subject or the legally authorized representative sufficient opportunity to discuss and consider whether or not to participate and that **minimize the possibility of coercion or undue influence**."
>
> 45 CFR 46.116(b)(8) "A statement that participation is voluntary, **refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled**, and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled."

RECAP: Section 564 authorizes the HHS Secretary to provide citizens access to experimental substances classified as an IND. Those INDs are required by statute to come under the authority of an IRB, which is required to abide by 45 CFR 46 regulations and the Belmont Report. 45 CFR 46 declares that if a research project is

under its auspices, it must abide by the Belmont Report. If a research project is exempted from 45 CFR 46, the alternative research activities must abide by the ethical principles of the Belmont Report. In other words, ALL experimental substances are required to comply with the ethical guidelines of the Belmont Report, especially medical products authorized under Section 564.

Legal Fact #2: 21 U.S. Code §360bbb provides the HHS Secretary with several methods of granting access to experimental substances by Americans. All of those access protocols must abide by the ethical principles of the Belmont Report *without exception.*

What is the Belmont Report? It is the ***ONLY*** authoritative source defining informed consent.

BELMONT REPORT (INFORMED CONSENT REQUIREMENTS)

During the Nuremberg Trials the Nazis used earlier American medical research, including horrific human rights abuses, as the basis of their defense. Therefore, Congress passed the National Research Act in 1974, requiring a Commission to "consider and define the nature of informed consent, and to lay out the basic ethical guidelines when involving humans in experimental substances."

Nearly 800 pages of essays were submitted to the Commission by industry experts between 1974 - 1978. The Commission met at the Belmont Conference Center in Maryland and drafted a 10-page document titled the Belmont Report (BR). The Commission entered the report into the Federal Register in April of 1979.

"The regulations found at 45 C.F.R. part 46 are primarily based on the Belmont Report and were written to offer basic protections to human subjects involved in both biomedical and behavioral research conducted or supported by HHS" - HHS

The ethical guidelines of the BR have been incorporated into the regulatory framework of 20 federal agencies, all 50 US States and 14 US territories.

"The general rule is that if there is <u>any element</u> of research in an activity, that activity should undergo review for the protection of human subjects." - BR

The Belmont Report defines the ethical guidelines governing informed consent requirements as:

> “Respect for persons requires that subjects, to the degree that they are capable, be given the opportunity to choose what shall or shall not happen to them. This opportunity is provided when **adequate standards for informed consent are satisfied**.”
>
> “This element of informed consent requires conditions **free of coercion** and **undue influence**.”
>
> - “**Coercion** occurs when an overt threat of harm is intentionally presented by one person to another in order to obtain compliance.”
> - **“Undue influence**, by contrast, occurs through an offer of an excessive, unwarranted, inappropriate or improper reward or other overture in order to obtain compliance. Also, inducements that would ordinarily be acceptable may become undue influences if the subject is especially vulnerable.”
> - **“Unjustifiable pressures** usually occur **when persons in positions of authority** or commanding influence -- especially where possible **sanctions** are involved -- **urge a course of action** for a subject.”

Congress declared that no American can be under outside pressure to participate in medical experimentation. Therefore, it placed the burden of proof on authorities to establish a set of “adequate standards for informed consent” to justify participation in experimental substances by individuals. This burden of proof is called obtaining the legally effective informed consent of the individual (45 CFR 46.116(a)(1)).

"Informed consent must be legally effective and prospectively obtained." - US Department of Health and Human Services

Based on content from HHS, FDA, and court precedent, legally effective informed consent is obtained when authorities:

- Disclose quality information about the COVID-19 experimental substance to the individual required to make an informed decision.
- Ensure the individual understands the risks and benefits of the experimental substance.
- Provide an opportunity for the individual to consider whether or not to participate.

- Establish a set of adequate conditions ensuring the individual is not under “sanctions,” “coercion,” or “undue influence” by persons of authority when consenting to participate.

Congress declared through the Belmont Report that citizens can not be subjected under the force of law to participate in an experimental product because such actions would violate their fundamental human rights of autonomy.

Federal agency supervisors and corporate CEOs penalizing employees who refuse the administration of an experimental substance are ***illegally*** waiving informed consent requirements. Congress explicitly reserved informed consent waiver for citizens of which no exemption from that requirement exists by statute. NONE!

LEGAL FACT #3: If a substance is labeled as an Investigational New Drug by the FDA it requires the legally effective informed consent of the individual before the administration of that substance. Congress did not pass legislation bypassing that requirement for BioNTech COVID-19 Vaccine simply because COMIRNATY shared the same formulation. Legally speaking, these two distinct substances are governed by distinct statutes. BioNTech COVID-19 Vaccine operates under an IRB and the Belmont Report at all times whereas COMIRNATY does not for its approved intent.

Governmental and private employers are now significantly liable to millions of citizens whose legally effective informed consent could not be obtained because they were placed under threat of penalty when offered participation in medical experimentation, in violation of the Belmont Report's ethical guidance.

When the FDA was accepting comments relating to changes to their 21 CFR 50&56 protection of human subject regulations in the early 1980s, they were uncompromising with regards to informed consent obligations.

> “One comment suggested that all minimal risk studies be exempted from the requirements for informed consent…The agency does not agree. Both the HHS regulations and the FDA regulations reflect the belief that even minimal risk studies require the informed consent of human subjects before they may participate in a research study. **Informed consent is, therefore, a uniform requirement for all investigational studies**, no matter how low risk an investigator may believe them to be.” - FDA

No statute exists exempting authorities from the obligation of establishing a set of adequate conditions that guarantees Americans will not be under threat of penalty when

refusing a COVID-19 experimental vaccine. Therefore, governments and corporations that require the participation in COVID-19 experimental vaccines are ripe for judicial intervention.

WHAT IS A RIGHT AND THE 14TH AMENDMENT

A good definition of a federally protected right is a legal claim held by an individual as defined by statute, regulation, constitution, or other types of the law with which no legal authority has the legal right to interfere unless otherwise empowered by law. There are fundamental rights that no one may infringe upon, such as freedom of speech and religion. Legislated rights often change with time.

21 U.S. Code §360bbb-3 contains legislation that requires individuals to be informed "of the option to accept or refuse administration of the product." The word "option" denotes a federally protected right (choice) backed by 14th Amendment guarantees of being treated equally before the law. Can a Governor declare that you have the right to choose, but if they disagree with your choice, then they have the right to penalize it? If Boeing can fire employees who refuse the administration of Pfizer's BioNTech COVID-19 experimental vaccine, then can Walmart fire employees who accept that same product?

Rights that 'We The People' obtained through our duly elected representatives may not be infringed upon by rogue government actors simply because they disagree with our exercised choice. Unfortunately, Governors in New Jersey, Washington, New York, and California have demoted their citizens to a 'lower class' of rights simply because they disagree with the "option" those citizens chose. All US citizens are under the same jurisdiction of the United States government. However, those who opted to refuse do not enjoy the same rights and have legally become second-class citizens by the fiat dictates of their Governors.

The 14th Amendment and the Belmont Report require civilian authorities to apply the same standards equally to citizens who refuse or comply with medical experimentation (e.g., COVID-19 testing, quarantining, masking, vaccination, etc).

Congruently, authorities may neither prevent citizens from participating in activities (e.g., educational access, travel, etc) if they refuse medical experimentation nor permit activities exclusively to those who comply with experimental substances.

Section 564 protects a citizen's choice of accepting or refusing substances under its authorization. No statute exists providing authorities the right to penalize that choice irrespective of an FDA-approved drug sharing the same formula as a substance under Section 564 authorization. Congressionally passed FDA laws govern classifications and not formulas, and lawyers who argue otherwise should be disbarred.

The premeditated assault on citizens' federally protected options of accepting or refusing administration of a COVID-19 experimental substance by rogue government and corporate leaders requires significant remedial actions by our State Attorneys General. Should courts be allowed to establish legal precedent that legislated rights are not protected when authorities disagree with that right? I think not!

OFFICE OF HUMAN RESEARCH PROTECTIONS

In 2001, the Department of Health and Human Services created the Office of Human Research Protections (OHRP) to require a tangible agreement with public and private entities which involve humans in medical experimentation and mandated they abide by 45 CFR 46 and the Belmont Report. OHRP established the Federalwide Assurance (FWA) program to ensure government and private entities engaging in business, grants, and or access to HHS-authorized health programs have a FWA agreement on file. The type of entities with FWA agreements are universities, state health departments, federal agencies, Department of Defense (DoD) Components and units, state governments, hospitals, and publicly funded healthcare providers.

US STATES, 45 CFR 46, AND THE BELMONT REPORT

All US States and territories have codified 45 CFR 46 and the Belmont Report either in their respective statutes or their regulatory framework. One can search those policies typically as follows: "California Statutes Protection of Human Subjects."

As an example, let us review California's statutes protecting humans involved in medical experimentation: "(chapter 1.3 CA statutes) The Legislature hereby finds and declares that medical experimentation on human subjects is vital for the benefit of mankind, however such experimentation shall be undertaken **with due respect to the preciousness of human life and the right of individuals to determine what is done to their own bodies."**.

> (a) "The Nuremberg Code of Ethics in Medical Research was developed after the trial of Nazi war criminals for unethical use of persons in medical

experiments; subsequently, the Declaration of Helsinki additionally established recommendations guiding doctors in experimentation involving human subjects."

(b) "Neither the Nuremberg Code nor the Declaration of Helsinki are codified under law and are, therefore, unenforceable." (h) "Research conducted pursuant to this section **shall adhere to federal regulations governing informed consent** pursuant to Section 46.116 of Title 45 of the Code of Federal Regulations." California wrote into their state statutes the requirement of informed consent per 45 CFR 46 thus the Belmont Report.

By searching the Office of Human Research Protections FWA database, we also see that California's Health and Human Services has an FWA agreement on file under FWAA00000681. This FWA agreement declares that California's HHS programs, including EUA administrative activities, will abide by the ethical principles of the Belmont Report relating to informed consent.

EMERGENCY STAKEHOLDERS

Who is legally required to ensure Americans are not under "sanctions," "coercion," and or "undue influence" when provided with an opportunity to participate in an EUA substance? Under EUAs, the title of 'Emergency Stakeholder' includes but is not limited to the federal government and all US States and territories.

For example, Governor Newsom of California, by mandating state employees to participate in EUA COVID-19 substances has violated the terms of section 564, 45 CFR 46, CDC's preferred provider agreement, the ethical principles of the Belmont Report, California's health department regulations, Political and Civil Rights Treaty, HIPAA Privacy Laws, and the 14th Amendment equality rights. Governors in 16 states required state employees to participate in COVID-19 INDs. This is a trial lawyer's dream come true.

DoD CIVILIAN WORKFORCE

Department of Defense Instruction (DoDI) 6200.02 (5.2.5) declares that even if the President issues a waiver under 10 USC 1107a for active service members, military commanders are still legally obligated to obtain the informed consent of its 768,000 civilian DoD employee workforce.

US SENATE RATIFIED TREATY

In 1992 the United States Senate ratified the International Covenant on Civil and Political Rights Treaty. Article VII of that treaty declares that “no one shall be subjected without his free consent to medical or scientific experimentation.” The word “subjected” does not mean physical restraint; instead, it means to be under force of law by one’s government. Therefore, to mandate participation in medical experimentation by law, rule, and or regulation under threat of penalty violates this treaty, federal statutes, and military regulations. Civilian authorities will confirm they never required the administration of EUA products under threat of penalty in their published directives. Their statement would be correct, but their wilful failure to require adherence to those directives is their indictment.

HIPAA & OTHER PRIVACY STATUTES

Can an elected official, employer, or other require citizens to acknowledge if they participated in medical experimentation? Can a vaccine passport require public disclosure of participation in experimental COVID-19 vaccines? Legal entities relying solely on the administration of experimental substances for vaccine mandate compliance and the subsequent public disclosure of that participation will soon reveal a host of criminal violations.

CONCLUSION

Under the authority of Section 564, the HHS Secretary granted Americans access to COVID-19 experimental substances. That access does not confer authority to mandate participation in those substances under threat of penalty. Mandates imply penalties and penalties automatically nullify an individual’s legally effective informed consent which is required to be obtained in advance of EUA administration. Congress requires Emergency Stakeholders to ensure citizens that participation in EUA substances is voluntary and refusal to participate may not incur a penalty or a loss of benefits to which the individual is otherwise entitled. Rogue political actors violated their oath of office by wilfully falsifying the meaning of interchangeability regarding Pfizer’s COVID-19 vaccines to deceptively involve Americans into a biomedical research project without their free will and voluntary consent.

Legal Fact #4: No statute authorizes any person the right to penalize Americans refusing the administration of a COVID-19 EUA substance. However, there are a plethora of statutes providing Americans protection from enduring human rights abuses.

Why did Congress establish the fundamental right to refuse participation in experimental EUA substances?

Pfizer was fined over $2 billion for drug fraud relating to Bextra because it killed 1,054 persons over a span of 18 years. Between March 01, 2021, through July 27, 2022, there have been over **50 deaths per day** attributed to an EUA COVID-19 vaccine. Pfizer's BioNTech COVID-19 Vaccine has been blamed for 18,000 plus deaths over a span of 18 months yet the vaccine does not even claim to inoculate from ***any*** COVID-19 variant.

This document aimed to enlighten Americans about their rights and begin the required educational process for trial lawyers to effectively represent innocent Americans penalized for exercising a federally protected right. Additionally, governors, state attorneys general, and others will discover that utilizing Brian Ward's knowledge for their legal and legislative efforts will tremendously reduce the time to market their efforts.

Brian Ward is available for expert testimony, legislative initiatives, online workshop training, legal brief analysis, and other related activities. Send a request @ https://covidpenalty.com/

Brian has invested over 1,000 hours researching the history and legal administration of investigational new drugs and its application to current COVID-19 mandates. Consider financially supporting his efforts to secure justice for those harmed by the unlawful actions of rogue political actors.

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