



Congress of the United States
House of Representatives
Washington, DC 20515-3605

December 20, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Biden,

We write to you regarding a matter of public health policy and to raise concerns about the current vaccine mandate. Your Administration seeks to implement broad sweeping vaccine mandates while providing little relief for people who may be adversely affected.

You have taken unprecedented actions in mandating the COVID-19 vaccine for private companies and their employees, Centers for Medicare & Medicaid Services healthcare workers, federal workers and contractors, and members of our Armed Forces. Fortunately, these Constitutionally dubious mandates are being met with court injunctions. However, such a mandate still raises many concerns as to the ethics of the federal government requiring a vaccine which receives special liability protections normally afforded to developing drugs, financially benefiting the vaccine manufacturers.

In March 2020, the U.S. Department of Health and Human Services invoked the PREP Act in issuing the *Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19*.¹ This declaration extended legal liability immunity to covered persons and otherwise risky or experimental countermeasures to combat pandemics and diseases. Covered persons include vaccine manufacturers and grants them almost total legal liability immunity allowing Pfizer, Moderna, and Johnson & Johnson to shirk almost all legal responsibility from any damages related to the vaccine. The only exception is in extremely rare cases of "willful misconduct" by a covered person.² Should someone have a severe adverse reaction to a COVID-19 vaccine, their only recourse would be through the Countermeasures Injury Compensation Program (CICP).

¹ <https://www.federalregister.gov/documents/2020/03/17/2020-05484/declaration-under-the-public-readiness-and-emergency-preparedness-act-for-medical-countermeasures>

² <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section247d-6d&num=0&edition=prelim>

It is utterly unjust to the American people to not only use the coercive arm of the government to force vaccines upon them, but to then provide little legal recourse for damages should they be adversely affected. It is our belief that in the face of such mandates, the American people should be entitled to greater legal recourse to recoup damages brought on by the federal government.

We urge you to rescind your current vaccine mandates and request you address the following questions to provide clarity as to the liability status of such vaccines.

1. Now that a major COVID-19 vaccine has received FDA approval, are there any plans to rescind the current PREP Act declaration?
2. What criteria must be satisfied to rescind the current PREP Act declaration before its October 2024 expiration date? How are these criteria decided upon?
3. Are you aware of any plans to move COVID-19 vaccine liability protections to the Vaccine Injury Compensation Program and away from the Countermeasure Injury Compensation Program?

Our constituents oppose this vaccine mandate and are asking why the manufacturers of FDA-approved vaccines still benefit from special liability protections intended for experimental countermeasures. Your answers to the questions above will bring clarity to this issue. Thank you in advance for your kind attention to this request.

God Bless,



Michael Cloud
Member of Congress



Jeff Duncan
Member of Congress



Bill Posey
Member of Congress



Dan Bishop
Member of Congress



Lauren Boebert
Member of Congress



Doug Lamborn
Member of Congress



Ronny L. Jackson
Member of Congress



Scott Perry
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Marjorie Taylor Greene
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