

# Non-profit Sues HHS to Immediately Stop Emergency Use Authorization of COVID-19 Vaccines

Lawsuit citing whistleblower's claim that the true deaths following vaccination are much higher than reported

By [Li Hai](#)

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America's Frontline Doctors, a nonprofit, filed a motion on July 19 seeking immediate injunctive relief to stop the emergency use authorization (EUA) of COVID-19 vaccines for three groups of Americans: anyone under the age of 18, anyone who has recovered from COVID-19, and those who haven't given informed consent as defined by federal law.

The motion was filed against Xavier Becerra, Secretary of the Department of Health and Human Services (HHS), and other defendants in a federal district court in the Northern District of Alabama.

"The emergency declaration and its multiple renewals are illegal," the complaint ([pdf](#)) alleges.

According to the Federal Food, Drug, and Cosmetic Act, when the HHS secretary declares that an emergency use is appropriate, the [FDA \(Food and Drug Administration\) may then authorize](#) unapproved use or EUA of a vaccine.

On Feb. 4, 2020, then-HHS Secretary [Alex Azar declared](#) a public health emergency, saying that existing circumstances justify the EUA.

The complaint alleges that the legal requirements to issue and maintain COVID-19 vaccine EUAs aren't being met.

First, there's no underlying emergency and no "serious or life-threatening disease or condition," the complaint states.

According to the defendants' data, [the CCP virus](#) has an overall survivability rate of 99.8 percent globally, "on a par with the seasonal flu."

However, the defendants' data is deliberately inflated, the complaint alleges. It claims that HHS has changed the rules applicable to people responsible for writing death certificates and requires them to make cause of death determinations primarily attributable to COVID-19. From last March, death certificates indicated "COVID-19 [as] being the underlying cause more often than not."

The way in which COVID-19 is diagnosed, using magnified values from PCR tests that were also authorized for emergency use, guarantees "an unacceptably high number of false-positive results," the complaint states.

Second, COVID-19 vaccines aren't effective in diagnosing, treating, or preventing a disease or condition, which fails another requirement for issuing and maintaining EUAs.

The complaint [cites data](#) from the Centers for Disease Control and Prevention (CDC) that says a total of 10,262 CCP virus breakthrough infections (detection of SARS-COV-2 within 14 or more days after receiving required dosages of a COVID-19 vaccine) were reported between Jan. 1 and April 30.

"It is important to note that the vaccines were only shown to reduce symptoms—not block transmission," the complaint reads.

Third, the benefits don't outweigh the known and potential risks of each vaccine. Those risks are especially increased in reproductive health, potential death, neurological damage, more virulent strains, and others.

And lastly, there are adequate, approved, and available alternatives to the vaccines, such as Ivermectin, Budesonide, Hydroxychloroquine, and others.

## **Not Adequately Informed**

The plaintiffs also allege that health care professionals and vaccine candidates aren't being adequately informed about the vaccines, as the federal law requires.

“No one ever provided me with any information regarding possible adverse reactions, nor did they provide me with any information regarding alternative treatments. I did not understand this was gene therapy rather than a traditional vaccine. Again, I also did not understand that the vaccines were not ‘approved’ by the FDA,” plaintiff Angelia Deselle said in a declaration included in the lawsuit.

The Vaccine Adverse Event Reporting System (VAERS) was established to provide information regarding adverse events potentially caused by vaccines. The complaint states that VAERS isn't accurate and that the federal government is failing to provide data from other sources, such as the military, Medicare, and Medicaid.

According to the complaint, a patient can't give informed consent without an understanding of the risks.

## **Under-18 Age Group and Those Recovered From COVID-19**

“CDC data indicates that children under 18 have a 99.998 percent COVID-19 recovery rate with no treatment,” the complaint reads. “Injecting this under-18 subpopulation with the Vaccines threatens them with immediate, potentially life-threatening harm.”

Last month, the CDC said that more than 1,200 cases of [heart inflammation in adolescents and young adults](#) were reported following the administration of Pfizer's or Moderna's two-dose vaccines.

“There is no public interest in subjecting children to experimental vaccination programs, to protect them from a disease that does not threaten them,” Dr. Angelina Farella, a pediatrician who has actively practiced for over 25 years, said in a statement. Farella is an expert for America's Frontline Doctors.

The complaint also asserts that Americans who have recovered from COVID-19 shouldn't get vaccinated.

It cites a recent Cleveland Clinic study that demonstrates that natural immunity through prior infection is stronger than any benefit conferred by a COVID-19 vaccine. Another study, published in the New England Journal of Medicine, shows that of those with preexisting COVID-19 immunity, 89 percent reported adverse side-effects after receiving the first vaccine injection.

“COVID recovered patients are at extremely high risk to a vaccine,” plaintiffs' expert Dr. Richard Urso said in a statement. “They have all the requisite components of immune memory. Vaccination may activate a hyperimmune response leading to a significant tissue injury and possibly death.”

## **Whistle-blower Testimony: 45,000 Deaths Following Vaccinations**

Jane Doe, a computer programmer with expertise in the health care data analytics field, filed a sworn statement indicating that the actual number of deaths following the COVID-19 vaccination is about 45,000.

“It is my professional estimate that VAERS database, while extremely useful, is under-reported by a conservative factor of at least 5. On July 9, 2021, there were 9,048 deaths reported in VAERS,” Jane Doe said in her statement ([pdf](#)).

“I queried data from CMS medical claims with regard to vaccines and patient deaths, and have assessed that the deaths occurring within 3 days of vaccination are higher than those reported in VAERS by a factor of at least 5. This would indicate the true number of vaccine-related deaths was at least 45,000.”

Jane Doe noted that the swine flu vaccine was taken off the market because of 53 deaths reported following vaccination.

“The evidence makes it irrefutable that Plaintiffs and others in the public will suffer irreparable injury ... if this motion is denied,” the plaintiffs asserted. “Finally, the evidence tilts the balance of hardships and public interest ... decisively in favor of Plaintiffs.”

In an email to The Epoch Times, HHS declined to comment on the lawsuit, saying, “As a matter of policy, we do not comment on pending litigation.”

President Joe Biden has praised the vaccines as safe and effective.

“You know, some people have questions about how quickly the vaccines were developed. They say they’ve been developed so quickly, they can’t be that good. Well, here’s what you need to know: Vaccines were developed over a decade of research in similar viruses, and they’ve gone through strict FDA clinical trials,” [Biden said last month](#).

“The bottom line is this—I promise you: They are safe. They are safe. And even more importantly, they’re extremely effective.”

The [Biden administration announced](#) earlier this month that it would begin a door-to-door outreach campaign in targeted communities to boost COVID-19 vaccination rates.

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