To whom it may concern:

I am writing you today about a very grave matter. I am in receipt of your most recent email dated September 16, 2021 regarding the Vaccination and Testing Process. However, I am also aware that many of these guidelines are in direct violation of congressional passed Acts, including GINA, ADA, and HIPPA.

You may not be aware of these violations, but I am aware of my rights.

For example, when you emailed me on August 11, 2021 to inquire about my vaccination status, you directly asked me for personal, private genetic testing information (including but not limited to: results from a PCR test and/or written proof of whether or not my body contains an mRNA vaccine which is known to alter human DNA. This type of inquiry is a violation of Title II of The Genetic Information Nondiscrimination Act of 2008 (GINA), Public Law 110-223. You have repeatedly made this illegal request for my genetic information in email correspondences dated August 11, August 20, September 1 and again on September 16, 2021. Each successive letter is harassment in its more demanding and detailed requirement to provide this information. I am feeling harassed by these requests as it appears to be a threat of my employment if I am unable to comply with these illegal requests. These repeated unreasonable requests have caused my work environment to become a hostile work environment and a place of harassment.

Employment (Title II)

Title II of GINA is implemented by the Equal Employment Opportunity Commission (EEOC) and prevents employers from using genetic information in employment decisions such as hiring, firing, promotions, pay, benefits, and job assignments. Furthermore, GINA prohibits employers or other covered entities (employment agencies, labor organizations, joint labor-management training programs, and apprenticeship programs) from requiring or requesting genetic information and/or genetic tests as a condition of employment. The regulations governing implementation of GINA in employment took effect on January 10, 2011.

Please take the time to review the full text of The Genetic Information Nondiscrimination Act of 2008, Public Law 110-223.

Click here for the CDC’s definition of **Genetic Testing:** [**https://www.cdc.gov/genomics/gtesting/genetic\_testing.htm**](https://www.cdc.gov/genomics/gtesting/genetic_testing.htm) **PCR Fact Sheet:** <https://www.genome.gov/about-genomics/fact-sheets/Polymerase-Chain-Reaction-Fact-Sheet>
**Predictive and pre-symptomatic testing:**  <https://medlineplus.gov/genetics/understanding/testing/uses/>
**mRNA Study from MIT and Harvard**: <https://www.algora.com/Algora_blog/2021/03/16/mit-harvard-study-suggests-mrna-vaccine-might-permanently-alter-dna-after-all>

Upon reviewing the above links, you will note that the PCR test and the experimental vaccine both fall under the category of “genetic testing,” and under GINA, it is illegal for any employer to request this information or to make PCR testing or DNA-altering injections a condition of employment.

More specifically, it violates **42 U.S.C 2000ff-1 Section. 202(b) ACQUISITION OF GENETIC INFORMATION. —** *It shall be an unlawful employment practice for an employer to REQUEST, require, or purchase genetic information with respect to an employee or a family member of the employee.*

Under the GINA Act, employers are prohibited from requiring employees to disclose personal and private medical health history, including in the form of a digital or paper vaccination card. Likewise, it violates the GINA Act to require employees to produce medical identification or to inject a substance/vaccine that alters DNA. Such a separation of employees into two genetic classes (vaccinated and unvaccinated), with different benefits or conditions of employment for each, would be considered medical discrimination in Colorado under the GINA Act. In fact, medical discrimination is covered in GINA, HIPAA, and ADA in all states, not just Colorado.

**Damages for Genetic Discrimination:**

It might interest you to know that as a victim of genetic discrimination, I am entitled to certain damages. The remedies available under the Fair Employment and Housing Act (FEHA) may be considerably greater than those available under GINA. In a civil action under FEHA, the employee may recover unlimited monetary damages, such as back pay; future lost earnings; emotional distress damages; punitive damages; and attorneys' fees and costs, including expert witness fees. By comparison, damages under GINA are the same as those available under Title VII of the Civil Rights Act of 1964, and are limited to reinstatement, hiring, promotion, back pay, injunctive relief, and pecuniary and non-pecuniary damages.

Under the law, this is coercion and genetic discrimination, and I would be entitled to damages according to FEHA and GINA.

I have also reviewed my rights under the EEOC (U.S. Equal Employment Opportunity Commission). The EEOC’s [guidance](https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws) does not claim that an employer can legally require an emergency use COVID-19 vaccine. The EEOC guidance merely states that the “federal EEO [Equal Employment Opportunity] laws do not prevent an employer from requiring” an emergency authorized COVID-19 vaccine.

However, upon review of the FDA’s EUA and its approved labeling, a.k.a. “fact sheets,” for [each](https://www.fda.gov/media/144638/download) [COVID-19](https://www.fda.gov/media/144414/download) [vaccine](https://www.fda.gov/media/146305/download), it clearly states: “It is [the vaccine recipient’s] choice to receive or not receive the COVID-19 Vaccine.”  The reason each fact sheet includes this language is because the same [section](https://www.law.cornell.edu/uscode/text/21/360bbb-3) of the Federal Food, Drug, and Cosmetic Act that authorizes the FDA to grant an EUA also requires the Secretary of Health and Human Services to “ensure that individuals to whom the product is administered are informed … of the option to accept or refuse administration of the product.”

Please be advised that businesses are not shielded from liability with experimental agents.

Under the 2005 PREP Act enacted by Congress ([which can be viewed here](https://www.phe.gov/Preparedness/legal/prepact/Pages/default.aspx)), pharmaceutical companies that manufacture EUA vaccines are shielded from liability related to injuries and damages caused by their experimental agents. However, any employer, public school, or any other entity or person who mandates experimental vaccines on any human being **is not protected from liability** for any resulting harm. While vaccine manufacturers may be shielded from liability, your institution is not protected, and neither are you.

I urge you to comply with the FD&C Act and the terms of the EUA and its accompanying Fact Sheet, and to advise all employees of their right to accept or refuse any COVID-19 vaccine. Any other course of action is contrary to federal and state law.

According to 21 U.S.C §360bbb-3(e)(1)(A)(ii)(III), employers are required to inform employees:

(III) of the option to accept or refuse administration of the product, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.”

Therefore, you are required to inform me of my option to accept or refuse administration (by your policy) of a vaccine, test or face mask that is under Emergency Use Authorization.

Regardless of the State Human Health Services or CDC’s attempt to force employers to segregate employees according to whether the SHHS or CDC determines an employee to be “healthy” or “not healthy,” an employer cannot segregate employees into these two categories and provide different amenities to each segregated group. Put simply: employer discrimination is never permitted. Specifically, the Americans with Disabilities Act (ADA) protects employees who cannot take a gene therapy drug (such as the COVID-19 vaccine) against discrimination. Therefore, all employees, regardless of “health status” are entitled to enjoy equal accommodations provided from the company.

The CDC reported the PCR diagnostic Panel will lose its EUA authorization as of December 31,2021.
“After December 31, 2021, CDC will withdraw the request to the U.S. Food and Drug Administration (FDA) for Emergency Use Authorization (EUA) of the CDC 2019-Novel Coronavirus (2019-nCoV) Real-Time RT-PCR Diagnostic Panel, the assay first introduced in February 2020 for detection of SARS-CoV-2 only. CDC is providing this advance notice for clinical laboratories to have adequate time to select and implement one of the many FDA-authorized alternatives.”

To be clear, I am currently not refusing the vaccine. I’m deferring my decision until the clinical trials have completed. This is expected to occur in approximately two years, as stated by the vaccine manufacturers’ websites. Once the safety data is analyzed and available, I can review all of this and exercise my right to informed consent.

NOTE TO EMPLOYER: As your employee, and in accordance with statutory legal requirements, I am requesting that you review this document, provide the requisite information, and sign the form, in regard to your requirement that employees receive a COVID-19 emergency use authorization (EUA) investigational vaccine or submit to testing.

1) If I agree to get tested for COVID-19 as a requirement for continued employment, first does my employer have proof of the existence of COVID-19 in the form of a Certified Reference Material Standard originating from a human, that will be used by the laboratory that will test the sample I provide to my employer?

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2) Please provide the name of the laboratory, the test equipment used, and the documentation for the Certified Reference Material Standard used to test the sample I provide to my employer.
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3) If I agree to receive an EUA COVID-19 injection, does my employee health insurance plan provide complete coverage should I experience an adverse event, or even death?

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4) As an employee, does my life insurance policy provide full coverage in the event that I die from receiving an EUA COVID-19 injection?

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5) As an employee, will you be providing Workers’ Compensation, disability insurance, or other resources if I have an adverse event to an EUA COVID-19 injection and am unable to come to work for days, weeks, or months, or if I am disabled for life?

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6) The Food and Drug Administration (FDA) requires that EUA vaccine recipients be provided with certain vaccine-specific information to help them make an informed decision about vaccination. The EUA fact sheets that must be provided are specific to each authorized COVID-19 injection and are developed by the manufacturers of the injections (Pfzer/BioNTech, Moderna, Oxford/AstraZeneca, and the Johnson & Johnson subsidiary Janssen). The fact sheets must provide the most current and up-to-date information on the injections, and vaccine recipients must also receive information about adverse events. Have you read, understood, and provided me (and all other employees) with these fact sheets and with current information on adverse events so that I/we can make an educated decision?

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7) Are you aware that the only FDA fully licensed and approved COVID-19 “vaccination” is Comirnaty? Pfizer/BioNTech hold the license to manufacture Comirnaty, however they have not currently begun to manufacture the fully licensed vaccine, and do not have a scheduled date to begin doing so. As such, there are no fully FDA approved vaccinations available in the United States. This has been upheld recently in a Florida Federal Court.

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8) Have you reviewed the available databases of material adverse events (such as VAERS) reported to date for people who have received COVID-19 injections? Potential and reported adverse events include death, anaphylaxis, neurological disorders, autoimmune disorders, other long-term chronic diseases, cardiomyopathy, myocarditis, blindness and deafness, infertility, fetal damage, miscarriage, and stillbirth.

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9) The FDA’s guidance on emergency use authorization of medical products requires the FDA to “ensure that recipients are informed to the extent practicable given the applicable circumstances… [t]hat they have the option to accept or refuse the EUA product….” Are you aware of this statement? Have you informed all employees that they have the option to refuse?

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10) With respect to the emergency use of an unapproved product, the Federal Food, Drug and Cosmetic Act, Title 21 U.S.C. 360bbb-3(e)(1)(A)(ii)(I-III)14 reiterates that individuals be informed of “the option to accept or refuse administration of the product, [and] of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.” If EUA COVID-19 investigational vaccines are ever approved by the FDA, state legislation would be required to allow companies to mandate the COVID-19 injections. Are you aware of these facts?

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11) EUA products are unapproved, unlicensed, and experimental. Under the Nuremberg Code—the foundation of ethical medicine *—no one may be coerced to participate in a medical experiment.* The individual’s consent is absolutely essential. No court has ever upheld a mandate for an EUA vaccine. In Doe #1 v. Rumsfeld, 297 F. Supp. 2d 119 (2003)15, a federal court held that the U.S. military could not mandate EUA vaccines for soldiers: “...[T]he United States cannot demand that members of the armed forces also serve as guinea pigs for experimental drugs” (Id. at 135). Are you aware of this?

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12) The United States Code of Federal Regulations, The National Research Act of 1974 and the FDA require the informed consent of human subjects for medical research. The EUA COVID-19 injections are unapproved, unlicensed, investigational vaccines that are still in their experimental stage. It is unlawful to conduct medical research on a human being, even in the event of an emergency, unless steps are taken to secure the informed consent of all participants. Are you aware of this?

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13) According to Federal Trade Commission (FTC) Guidelines and the FTC’s “Truth In Advertising,” promotional material—and especially material involving health-related products—cannot mislead consumers, omit important information, or express claims. All of this falls under the rubric of “deceptive advertising” (whereby a company is providing or endorsing a product), whether presented in the form of an ad, on a website, through email, on a poster, or in the mail. For example, statements such as “all employees are required to get the Covid-19 vaccine to make the workspace safe” or “it’s safe and effective” leave out critical information. Critical information includes the facts that Covid-19 injections are unapproved EUA vaccines that “may” or “may not” prevent COVID, won’t necessarily make the workspace safer, and could, in fact, cause harm. Not providing links or attachments of the manufacturers’ fact sheets and current information on adverse events is omitting safety information. Are you aware of this?

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14) Since the Covid lockdowns began over one year ago, there have been over 178 reported breaches of unsecured protected health information (PHI), incidents investigated by the Office for Civil Rights (OCR). These breaches exposed millions of people’s personal health information. Although many of these incidents were attributed to hacking, some of the breaches to PHI fell directly under the 1996 Health Insurance Portability and Accountability Act (HIPAA), such as sharing a patient’s or person’s information with an unauthorized individual or incorrectly handling PHI. Can you please explain your obligations to me, under HIPAA law, and how you are going to protect my personal information - both with respect to your requirement that I receive this injection?

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15) Whereas pharmaceutical companies that manufacture EUA vaccines have been protected from liability related to injuries or deaths caused by experimental agents since the PREP Act was enacted in 2005, companies and all other institutions or individuals who mandate experimental vaccines on any human being are not protected from liability. Are you aware that you do not enjoy such liability protection?

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16) Are you aware that employees could file a civil suit against you should they suffer an adverse event, death, or termination from their place of employment?

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As the legally authorized officer of the employer/company, I have read all of the above information, have provided my employees with all of the information that the FDA requires be provided to recipients of the COVID-19 injections, and do hereby agree to assume 100% financial responsibility for covering any and all expenses from adverse events, including death, through insurance coverage or directly. In addition, I affirm that the employee will not be subjected to the loss of their job nor be discriminated against should they decline to receive a COVID-19 injection.

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorized officer of entity requiring testing, masking, and/or injection

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee:

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness:

Once I have received the above information in full and I am satisfied that there is NO threat to my health, I will be happy to accept your offer to receive the treatment, but with certain conditions - namely that:

1. You confirm that I will suffer no harm.

2. Following acceptance of this, the offer must be signed by a fully qualified doctor who will take full legal and financial responsibility for any injuries occurring to myself, and/or from any interactions by authorized personnel regarding these procedures.

3. In the event that I should have to decline the offer of vaccination, please confirm that it will not compromise my position and that I will not suffer prejudice and discrimination as a result?

As a reasonable accommodation and in order to further the effort of maintaining a safe work environment, I am willing to submit to the of a saliva test in replace of the nasal swab testing.

Respectfully,

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Endnotes:

1. Congressional Research Service. The PREP Act and COVID-19: Limiting Liability for Medical Countermeasures. Updated Mar. 19, 2021. htps://crsreports.congress.gov/product/pdf/LSB/LSB10443.

2. Del Bigtree interviews 3 medical professionals incapacitated by Covid injections. The Highwire, Apr. 29, 2021. htps://www.bitchute.com/video/A4d8FB2cIBTc/.

3. America’s Frontline Doctors. Vaccines & the law. htps://www.americasfrontlinedoctors.org/legal/vaccines-the-law.

4. Layton, Catharine. Forced to get the COVID vaccine? ICAN may be able to help. The Defender, Jan. 29, 2021. htps://childrenshealthdefense.org/defender/forced-to-get-covid-vaccine-ican-may-be-able-to-help/.

5. htps://uscfc.uscourts.gov/sites/default/fles/Vaccine%20Atorneys.pdf.

6. The Solari Report. Family Financial Disclosure Form for Covid-19 injections. Mar. 1, 2021. htps://pandemic.solari.com/familyfnancial-disclosure-form-for-covid-19-injectons/.

7. Corey Lynn, The Solari Report. Form for Students Attending Colleges or Universitas Requiring Covid-19 Injections. May 3, 2021.

8. Centers for Disease Control and Prevention. COVID-19 Vaccine Emergency Use Authorization (EUA) Fact Sheets for Recipients and Caregivers. htps://www.cdc.gov/vaccines/covid-19/eua/index.html.

9. UK Medical Freedom Alliance. COVID-19 Vaccine Info. htps://www.ukmedfreedom.org/resources/covid-19-vaccine-info.

10. Vaccine Adverse Event Reporting System. htps://vaers.hhs.gov.

11. CDC WONDER. About the Vaccine Adverse Event Reporting System (VAERS). htps://wonder.cdc.gov/vaers.html.

12. National Vaccine Information Center. Search the U.S. Government’s VAERS Data. htps://www.medalerts.org/.

13. U.S. Department of Health and Human Services. Emergency Use Authorization of Medical Products and Related Authorities:

Guidance for Industry and Other Stakeholders. January 2017. htps://www.fda.gov/media/97321/download.

14. 21 U.S. Code § 360bbb–3 - Authorization for medical products for use in emergencies.

htps://www.law.cornell.edu/uscode/text/21/360bbb-3.

15. Doe #1 v. Rumsfeld, 297 F. Supp. 2d 119 (2003). htps://www.courtlistener.com/opinion/2326816/doe-v-rumsfeld/.

16.hhtps://www.govregs.com/regulatons/expand/ttle21\_chapterI\_part50\_subpartB\_secton50.24#regulaton\_2.

17. Federal Trade Commission. Advertising FAQ’s: A Guide for Small Business. htps://www.fc.gov/tps-advice/businesscenter/guidance/advertsing-faqs-guide-small-business.

18. Federal Trade Commission. Truth in Advertising. htps://www.fc.gov/news-events/media-resources/truth-advertsing.

19. U.S. Department of Health and Human Services. Office for Civil Rights. Breach Portal: Notice to the Secretary of HHS Breach of Unsecured Protected Health Information.

htps://ocrportal.hhs.gov/ocr/breach/breach\_report.jsf;jsessionid=618E88DD94EE65D46D5785CB2A643553.

20. http://market-tcker.org/akcs-www?post=242282

21. <https://www.natlawreview.com/artcle/osha-s-new-guidance-recordability-covid-19-vaccine-reactons>

22. <https://www.genome.gov/about-genomics/policy-issues/Genetic-Discrimination>

23. <https://www.cdc.gov/genomics/gtesting/genetic_testing.htm>

24.https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2775397?guestAccessKey=8058e841-bc18-4398-a251-54087a84297f&utm\_source=silverchair&utm\_medium=email&utm\_campaign=article\_alert-jamainternalmedicine&utm\_content=olf&utm\_term=011521

*JAMA Internal Medicine January 15, 2021***Comparison of Saliva and Nasopharyngeal Swab Nucleic Acid Amplification Testing for Detection of SARS-CoV-2**
**Findings**  In this systematic review and latent class meta-analysis adjusting for the imperfect reference standard***, saliva NAAT had a similar sensitivity and specificity to that of nasopharyngeal NAAT.*Meaning**  Given the ease of use and good diagnostic performances, these findings suggest ***that saliva NAAT represents an attractive alternative to nasopharyngeal swab NAAT*** and may significantly bolster massive testing efforts.

25. View the Florida District Judge order in its entirety https://lynnwoodtimes.com/wp-content/uploads/2021/12/WINSORORDER.pdf