

February 7, 2023
House Health and Insurance
Testimony in Support of HB23-1029

Chair, Lindsey Daugherty, and members of the Health and Insurance Committee, I am Karen Pennington, a nurse and educator, recently retired as Interim Dean from Regis University School of Nursing and now Adjunct Professor at Regis University and Colorado Christian University. Today, I am testifying in support of HB23-1029.

The Covid injection, although approved for emergency use, remains a trial as it has not gone through the normal and customary scientific testing procedures (<https://www.nvic.org/getmedia/513a363a-dflc-4154-8417-50863471102d/NVIC-VRBPAC-Public-Comment-C19-Vaccines-Jan-2023.pdf>). Recent release of Pfizer documents reveals a lengthy list of potential serious harms associated with the injection and provide evidence of questionable efficacy and safety concerns. The financial and emotional burden of harm potentially incurred by the injection rests solely with the parents due to the emergency use procedures (<https://news.bloomberglaw.com/health-law-and-business/why-a-judge-ordered-fda-to-release-covid-19-vaccine-data-pronto>).

Parental rights for determining safe medical practices for their children are supported by this bill as they should be (<https://insidesources.com/national-parents-day-provides-opportunity-to-protect-children-parental-rights/>). The family is still recognized as the unit responsible for protection and socialization of children, as well as bearing the burden of risk in the medical decision on the Covid injection. The decision to receive the Covid injection requires informed consent that a minor is not recognized as capable of providing. Children should not have parental authority undermined, nor be discriminated against due to vaccine status in education, sports, or club activities.

- Preserve parental authority for parents making medical decisions for children in Colorado.
- Support scientific facts and basic rights for this vulnerable population of children in Colorado.
- Prevent discrimination of any kind due to Covid injection status.

I strongly support HB23-1029, prohibiting Covid injection to minors without parental consent and urge you to vote “Yes” on this Bill.

Thank You.

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Health Law & Business

Why a Judge Ordered FDA to Release Covid-19 Vaccine Data Pronto

By Aaron Siri

Jan. 18, 2022, 2:00 AM

A group of scientists and medical researchers sued the FDA under FOIA to force release of hundreds of thousands of documents related to licensing of the Pfizer-BioNTech Covid-19 vaccine. Plaintiff's attorney Aaron Siri, who is representing the group, explains the fight that led a federal court to order expedited release of documents the agency claimed it would take decades to process.

In response to a Freedom of Information Act request, the Food and Drug Administration asked a federal judge for permission to make the public wait until the year 2096 to disclose all of the data it relied upon to license Pfizer's Covid-19 vaccine.

That is not a typo. The FDA wanted court approval to have up to 75 years to publicly disclose this information.

In its attempts to build public support for Covid-19 vaccinations, the FDA repeatedly promised "full transparency," and reaffirmed its "commitment to transparency" when licensing Pfizer's Covid-19 vaccine.

With that promise in mind, after the vaccine's licensure in August 2020, Public Health and Medical Professionals for Transparency, a group of highly credentialed scientists submitted a FOIA request to the FDA for the data submitted by Pfizer. The scientists explained that, until all the data is produced, a proper review cannot be conducted because missing even a single data set could throw off any analysis.

In response, the FDA produced nothing. Therefore, in September 2021, the scientists, represented by their attorneys at Siri & Glimstad, sued the FDA demanding it produce this data by March 2022.

The agency originally estimated it would need to produce 329,000 pages, and asked the court for permission to produce just 500 pages per month, which would have taken 55 years. In its final brief to the Court, the FDA admitted that the total page count was at least 451,000, but still sought permission to produce just 500 pages per month. Meaning that it could have taken 75 years, when most Americans alive today would be dead, to fully publicly disclose this information.

On Jan. 6, a federal court in the Northern District of Texas ordered the expedited release. As of Jan. 12, the FDA hasn't indicated it intends to appeal.

Scientists Requested Data After FDA Licensing

The FDA licensed the Pfizer vaccine on Aug. 23, 2021, just 108 days after Pfizer started producing the records to the agency. During that period, the FDA asserts it conducted an intense, robust, and thorough analysis of those documents to assure the public that the Pfizer vaccine was safe and effective.

Yet, when asked to share those documents with the public, the FDA claimed it needed over 20,000 days. The FDA's production schedule clashed with its promise of transparency.

The purpose of FOIA is government transparency. When it comes to the Pfizer vaccine, the need for transparency is unprecedented. A majority of Americans are now mandated to receive a Covid-19 vaccine under penalty of losing a job, or worse.

This has never been done before. Typically adult vaccine mandates have been limited; even the seminal U.S. Supreme Court vaccine mandate decision, *Jacobson v. Massachusetts*, only involved a state-imposed \$5 penalty, and school vaccine mandates have historically had liberal religious or personal belief exemption policies.

Even more problematic is that Americans, if injured, cannot sue Pfizer. There is virtually no other product where a consumer is prohibited from suing the company that manufactures, markets, and profits from the product.

Decoupling a company's profit interest from its interest in safety creates a moral hazard and departs from centuries of product liability doctrine. Thus, it is extraordinary that Americans must take this product under penalty of expulsion from work, school, the military and civil life, but they cannot sue Pfizer for any resulting injuries.

The federal government created this unprecedented situation. It granted the immunity, licensed the product, and aggressively sought mandates. This situation therefore warrants unprecedented transparency.

As then-presidential candidate Joe Biden told the American people, "You've got to make all of it [the vaccine data] available to other experts across the nation so they can look and see." He repeated that need to share the data numerous times. So did senators and representatives on both sides of the aisle.

FDA Claimed It Can't Comply, Judge Orders Compliance

The FDA apparently disagreed. During a hearing on Dec. 14, 2021, its counsel steadfastly maintained that the court should not require the agency to produce more than 500 pages per month, harping on the FDA's purported limited resources, its need to redact personal information, and duty to protect Pfizer's trade secret interests, all the while ignoring the interests of the American people.

The FDA's excuses were incredible. The FDA has more than 18,000 employees and a budget of over \$6.5 billion. It would be laughable if any multibillion-dollar company came before a court and claimed poverty to escape making a document production, but that was the FDA's position.

U.S. District Judge Mark T. Pittman, Northern District of Texas, expressed dismay at the FDA's proposed rate of production. He found the duration requested by the FDA unreasonable, comparing it to the actions of totalitarian nations. As such, the judge on Jan. 6 ordered the FDA to produce at least 55,000 pages per month.

In his ruling, the judge recognized that the release of this data is of paramount public importance and should be one of the FDA's highest priorities. He quoted James Madison as saying a "popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy" and John F. Kennedy as explaining that a "nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people."

America has some of the greatest institutions of learning the world has ever known. We need the scientific community, both inside and outside the government, to address the serious ongoing issues with the vaccine program, including waning immunity, variants evading vaccines, and that vaccinated individuals can still transmit the virus.

The FDA's attempt to close the door and lock out independent scientists from the data necessary to address these issues was irresponsible.

Transparent, Independent Review Is Needed

The failure of the government's closed-door approach is exemplified by the fact that the FDA did not send a representative to the court hearing because, as the government attorney explained, the FDA's Covid-19 protocols would not permit it.

Meaning, despite a reported vaccination rate of over 96% across federal health agencies back in November 2021, and the FDA's claim that the vaccines are "effective," Covid-19 is still disrupting everyday life. This brings into stark focus the need to open the door and involve independent scientists.

As Pittman recognized, America needs transparency and independent scientists to review this data—not in 75 years, but now.

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National Parents' Day Provides Opportunity to Protect Children, Parental Rights

Posted to Politics (<https://insidesources.com/category/politics/>).

July 21, 2022 by Sharon Supp

(<https://insidesources.com/author/sharon-supp/>).

July 24 marks the 28th celebration of National Parents' Day, which, according to a unanimous resolution of Congress in 1994, is a "recurring, perennial day of commemoration ... in furtherance of recognizing, uplifting, and supporting the role of parents in the rearing of their children."

But today, instead of parents being recognized, uplifted and supported in their role, they are excluded and marginalized. Local, state and federal government policies undermine parental rights by imposing harmful ideologies that divide children based on their race and promote the falsehood that boys can become girls and girls can become boys. And parents across the nation — from Wisconsin (https://adflegal.org/press-release/wi-court-school-district-policy-potentially-violates-parents-rights?utm_source=insidesources&utm_medium=oped) to Massachusetts (<https://www.foxnews.com/family/massachusetts-parents-sue-school-gender-identity-consent>) to Florida (<https://www.washingtonexaminer.com/restoring-america/community-family/florida-parents-sue-after-school-clandestinely-orchestrated-daughters-gender-transition>) — aren't being celebrated; they're being forced to sue and fight for their rights.

Children belong first and foremost to their families, and parents have the fundamental right to make the important choices about their children's upbringing, education and healthcare. This right includes deciding what school their child attends, the curriculum their child learns from, what religion (if any) their child is taught, and many other important decisions around daily living.

In most homes in America, parents make the decisions regarding their child's nutrition — what foods their child can or cannot eat, and even when they can eat. Menus and mealtimes are almost always set by parents. Indeed, although there are exceptions, most parents do not allow their child to skip a healthy breakfast, have a snack right before mealtime or choose to eat a doughnut for dinner.

No reasonable person questions a parent's right to control and plan their child's diet and when they eat. Yet statewide counseling bans (<https://www.heritage.org/gender/commentary/how-conversion-therapy-bans-hurt-kids>) and local school policies (https://adflegal.org/sites/default/files/2022-06/HCPSTransgenderStudentsStaffPresentation.pdf?utm_source=insidesources&utm_medium=oped) usurp a parent's right to decide the best mental health treatment for their child.

If parents have decision-making authority over their child's menu and mealtimes, and children aren't even allowed to take an aspirin at school without parental permission, doesn't it naturally follow that parents have the right to make important life decisions that involve their child's physical, mental and emotional wellbeing?

Apparently not for some schools like Harrisonburg (Va.) City Public Schools (https://adflegal.org/press-release/parents-teachers-sue-va-school-district-concealing-childrens-discomfort-biological?utm_source=insidesources&utm_medium=oped), which force teachers and school officials to keep parents in the dark about their children's gender confusion at school and even treat children as if they are the opposite sex without informing or seeking the consent of their parents.

Nor for some schools like [Albemarle County \(Va.\) Public Schools](https://adflegal.org/blog/why-im-suing-albemarle-county-school-board?utm_source=insidesources&utm_medium=oped) (https://adflegal.org/blog/why-im-suing-albemarle-county-school-board?utm_source=insidesources&utm_medium=oped), which teach children their success in life will be limited because of their race or ethnicity, and some children are inherently racist because of their immutable characteristics.

Parents have the right to know that their children's schools won't hide critical information about their children from them. Parents have the right to be assured that their children's school won't teach a politicized curriculum that does not align with, or even violates, their family's values.

So, as our nation celebrates another National Parents' Day, parents need policies and laws that protect their fundamental rights. One solution to this daunting task is the [Promise to America's Parents](https://adflegal.org/campaign/promise-to-americas-parents?utm_source=insidesources&utm_medium=oped) (https://adflegal.org/campaign/promise-to-americas-parents?utm_source=insidesources&utm_medium=oped), which offers a practical roadmap of 10 building blocks parents, community leaders and lawmakers can use to safeguard parental rights. Alliance Defending Freedom, The Heritage Foundation and the Family Policy Alliance joined forces with a coalition of grassroots groups, policy organizations, law firms and think tanks to collectively meet the need. The Promise's goal is to empower parents to protect their parental rights (and also protect their children) through increased government accountability and increased choice and transparency surrounding their children's education and healthcare.

Parental rights are universal. Parents from every walk of life — from racially, religiously and politically diverse backgrounds — can unite around efforts like the Promise to work with community leaders, policymakers and lawmakers to preserve America's enduring tradition of honoring parental rights.

Parents are entitled to the primary role they have in the upbringing and education of their children, and this role must be preserved. From local school boards to state legislatures to Congress, parents can, in fact, advocate for laws and policies that provide them with accountability, choice and transparency. Still, they don't always know how they can do that. This is the vacuum that The Promise is seeking to fill.

Parents are a powerful political force. And parents can continue to act on this momentum to restore and preserve our nation's rich history of "recognizing, uplifting, and supporting the role of parents in the rearing of their children." It will take more than one day per year, but National Parents' Day is a great place to start.

About the Author



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