

ICAN vs. HHS: Key Legal Win Recasts Vaccine Debate

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LOS ANGELES, Sept. 14, 2018 /PRNewswire/ -- The U.S. Department of Health and Human Services (HHS) has admitted that, in direct violation of Federal law, it failed to provide a single vaccine safety report to Congress for thirty years, according to Informed Consent Action Network (ICAN).

This acknowledgement comes after eight months of stonewalling from HHS following a Freedom of Information Act (FOIA) request from the nonprofit ICAN, and its founder Del Bigtree. ICAN sought copies of the reports HHS was required to submit to Congress every two years, starting in 1988, detailing improvements it made to vaccine safety. ICAN was represented by Robert F. Kennedy, Jr.



Robert F. Kennedy, Jr. (left), represented ICAN and founder Del Bigtree in its successful lawsuit against HHS.

ICAN sued HHS in the U.S. District Court for the Southern District of New York, demanding that the reports be shared with the public. HHS eventually conceded that those reports do not exist and the Court entered an order confirming this concession.

"The 1986 National Childhood Vaccination Injury Act granted economic immunity to pharmaceutical companies for vaccine injuries and hence eviscerated their economic incentive for them to take responsibility for vaccine safety," says Bigtree. "Market forces driving vaccine safety were simply eliminated."

Congress therefore charged the Secretary of HHS with the explicit responsibility to assure vaccine safety. Biannual reports of HHS's progress in improving vaccine safety were to be submitted to Congress. Yet, as ICAN has now proven, these reports were never created.

"It is apparent that HHS doesn't have a clue as to the actual safety profile of the now 39 doses, and growing, of vaccines given by one year of age, including in utero," said Bigtree. "In 1986, a one-year old child received eleven doses."

"HHS spends billions annually promoting vaccines and generates a steady stream of reports promoting vaccines," Bigtree says. "Yet, when, despite Federal law, HHS cannot bother to complete the simple task of preparing a biennial report on vaccine safety, there is little hope HHS is tackling the much harder job of improving vaccine safety."

The 1986 Act shifted financial liability for vaccine injuries to the U.S. Government which has since 1986 paid over \$3.9 billion for serious vaccine injuries.

Bigtree hosts the weekly live online news program "The HighWire," and is an Emmy-award winning producer of the CBS medical talk show "The Doctors." He is producer of the groundbreaking documentary "Vaxxed: From Coverup to Catastrophe."

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