

---

**Testimony: UH Board of Regents (BOR) monthly meeting Thursday, July 15, 2021 at 10:30 a.m.**

---

Tina Lia <tinalia@live.com>

Mon, Jul 12, 2021 at 6:30 PM

To: "bor.testimony@hawaii.edu" <bor.testimony@hawaii.edu>

I am submitting testimony for the UH Board of Regents (BOR) monthly meeting Thursday, July 15, 2021 at 10:30 a.m. I would specifically like to address agenda item VI. Report of the President and COVID-19 Update. On May 19, 2021, I emailed the following information to the UH President, UH Provost, UH Director of Health Services, and UH Maui Vice Chancellor of Student Affairs. I have not yet received a response:

I received notice from the University of Hawaii on 5/17/21 that COVID-19 vaccination will be required for on-campus students this fall. I am enrolled in an on-campus course for fall 2021 semester and am very concerned about how this requirement will affect my college education. While the guidelines state that medical and religious exemptions will be available, the following information is also stated on the UH website:

If I decide not to get the vaccine, will there be an online option for every course offered?

No, not all courses will be available online. Please work with your academic advisor and consider getting vaccinated.

In UH President David Lassner's 5/17/21 press conference, he explained that there are a lot of details being worked through in regard to medical and religious exemptions as well as what kinds of protections will be in place for people who have exemptions. It is unclear at this point if UH will be allowing unvaccinated students on campus. There are also many questions about what guidelines could be imposed on unvaccinated students. Will we be treated equally or will we be discriminated against?

UH has stated the following:

The vaccine requirement will take effect only after at least one of the three COVID-19 vaccines currently under emergency use authorization has been approved and fully licensed by the U.S. Food and Drug Administration, which is anticipated this summer.

While the official requirement is not set to be implemented until there is an FDA approved injection, UH is already pressuring students into subjecting themselves to a medical experiment in order to attend class. By giving us the impression that our college education may be in jeopardy if we don't consent to an emergency use authorization (EUA) experimental vaccine in the next three months, UH is currently using coercion to intervene in our free power of choice.

Because UH has already notified students that the COVID-19 vaccine will be required for on-campus students this fall although there is no FDA approved option, University of Hawaii has now officially informed all students that we must take an EUA vaccine prior to FDA approval if we are to prepare now for compliance in the next three months. UH is clearly promoting the EUA vaccines and has sent the message to students that we should become part of the experiment in preparation for fall semester. As a student at your institution, I am requesting that you review the attached document specifically addressing requiring students to get an EUA vaccine. Please provide the requisite information, sign, and return the completed form to me.

Thank you for your attention to this matter. I look forward to your response and to opening a dialogue about ensuring that non-discriminatory policies are in place at University of Hawaii.

Aloha,  
Tina Lia  
Student, University of Hawaii Maui College  
PO Box 1773

Kihei, HI 96753  
[tinalia@live.com](mailto:tinalia@live.com)  
(808) 298-6335

---

 **Student-Form-Only-Covid-Injections.pdf**  
93K

# Form for Students Attending Colleges or Universities Requiring Covid-19 Injections

*NOTE TO COLLEGE OR UNIVERSITY:* As a student at your institution, I am requesting that you review this document, provide the requisite information, and sign the form, in regards to your requirement that students get a Covid-19 emergency use authorization (EUA) experimental vaccine.

**1) If I agree to receive an EUA Covid-19 injection, does my student health insurance plan [if applicable] provide complete coverage should I experience an adverse event, or even death?**

---

---

---

**2) As a student at your institution, will you provide any other medical or financial support to me or my family if I have an adverse event to an EUA Covid-19 injection and am unable to attend school for days, weeks, or months, or if I am disabled for life?**

---

---

---

**3) 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.<sup>9</sup> 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 (Pfizer/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 students) with these fact sheets and with current information on adverse events so that I/we can make an educated decision?**

---

---

**4) Have you reviewed the available databases of material adverse events reported to date for people who have received experimental Covid-19 injections?<sup>10,11,12,13</sup> Potential and reported adverse**

events include death, anaphylaxis, neurological disorders, autoimmune disorders, other long-term chronic diseases, blindness and deafness, infertility, fetal damage, miscarriage, and stillbirth.

---

---

5) The FDA’s guidance<sup>44</sup> 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 students that they have the option to refuse?

---

---

6) 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)<sup>45</sup> 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 experimental EUA Covid-19 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?

---

---

7) 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),<sup>46</sup> 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?

---

---

8) The United States Code of Federal Regulations<sup>47</sup> 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?

---

**9) According to Federal Trade Commission (FTC) Guidelines<sup>18</sup> and the FTC’s “Truth In Advertising,”<sup>19</sup> 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 students are required to get the Covid-19 vaccine to make the campus 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 campuses 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?**

---

**10) 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.<sup>20</sup> 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?**

---

---

---

---

**11) 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<sup>2</sup> was enacted in 2005, companies, schools, 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?**

---

**12) Are you aware that students or families could file a **civil suit** against you should the student suffer an adverse event, death, or expulsion from school for refusing an EUA Covid-19 injection?**

---



---

As the legally authorized officer of the college or university, I have read all of the above information, have provided my students 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 student shall not be denied access to school should they decline to receive a Covid-19 injection.

Authorized officer of college/university requiring injection	College/University	Date
Student	College/University	Date
Witness	College/University	Date

**Endnotes:**

1. Association of American Physicians and Surgeons. Open letter from physicians to universities: allow students back without COVID vaccine mandate. AAPS, Apr. 24, 2021. <https://aapsonline.org/open-letter-from-physicians-to-universities-reverse-covid-vaccine-mandates/>.
2. Congressional Research Service. The PREP Act and COVID-19: Limiting Liability for Medical Countermeasures. Updated Mar. 19, 2021. <https://crsreports.congress.gov/product/pdf/LSB/LSB10443>.
3. Del Bigtree interviews 3 medical professionals incapacitated by Covid injections. *The Highwire*, Apr. 29, 2021. <https://www.bitcute.com/video/A4d8FB2cIBTc/>.
4. America’s Frontline Doctors. Vaccines & the law. <https://www.americasfrontlinedoctors.org/legal/vaccines-the-law>.
5. Catharine Layton. Forced to get the COVID vaccine? ICAN may be able to help. *The Defender*, Jan. 29, 2021. <https://childrenshealthdefense.org/defender/forced-to-get-covid-vaccine-ican-may-be-able-to-help/>.
6. <https://uscfc.uscourts.gov/sites/default/files/Vaccine%20Attorneys.pdf>.
7. The Solari Report. Family Financial Disclosure Form for Covid-19 injections. Mar. 1, 2021. <https://pandemic.solari.com/family-financial-disclosure-form-for-covid-19-injections/>.
8. Corey Lynn, The Solari Report. Form for Employees Whose Employers Are Requiring Covid-19 Injections. May 3, 2021.
9. Centers for Disease Control and Prevention. COVID-19 Vaccine Emergency Use Authorization (EUA) Fact Sheets for Recipients and Caregivers. <https://www.cdc.gov/vaccines/covid-19/eua/index.html>.
10. UK Medical Freedom Alliance. COVID-19 Vaccine Info. <https://www.ukmedfreedom.org/resources/covid-19-vaccine-info>.
11. Vaccine Adverse Event Reporting System. <https://vaers.hhs.gov>.
12. CDC WONDER. About the Vaccine Adverse Event Reporting System (VAERS). <https://wonder.cdc.gov/vaers.html>.
13. National Vaccine Information Center. Search the U.S. Government’s VAERS Data. <https://www.medalerts.org/>.
14. 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. <https://www.fda.gov/media/97321/download>.
15. 21 U.S. Code § 360bbb-3 - Authorization for medical products for use in emergencies. <https://www.law.cornell.edu/uscode/text/21/360bbb-3>.
16. Doe #1 v. Rumsfeld, 297 F. Supp. 2d 119 (2003). <https://www.courtlistener.com/opinion/2326816/doe-v-rumsfeld/>.
17. [https://www.govregs.com/regulations/expand/title21\\_chapterI\\_part50\\_subpartB\\_section50.24#regulation\\_2](https://www.govregs.com/regulations/expand/title21_chapterI_part50_subpartB_section50.24#regulation_2).

18. Federal Trade Commission. Advertising FAQ's: A Guide for Small Business. <https://www.ftc.gov/tips-advice/business-center/guidance/advertising-faqs-guide-small-business>.
19. Federal Trade Commission. Truth in Advertising. <https://www.ftc.gov/news-events/media-resources/truth-advertising>.
20. 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. [https://ocrportal.hhs.gov/ocr/breach/breach\\_report.jsf;jsessionid=618E88DD94EE65D46D5785CB2A643553](https://ocrportal.hhs.gov/ocr/breach/breach_report.jsf;jsessionid=618E88DD94EE65D46D5785CB2A643553).
21. <http://market-ticker.org/akcs-www?post=242282>
22. <https://www.natlawreview.com/article/osha-s-new-guidance-recordability-covid-19-vaccine-reactions>