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**Sheri Nakken**

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From Dr Christina Parks

Just passing this along from someone in the military. I've covered this before, but it's worth another mention. Soldiers and servicemembers across the country need to be made aware of their rights: THIS IS FOR ALL UNVACCINATED SOLDIERS, SAILORS, MARINES, AIRMAN, COAST GUARD, HEALTH SERVICE, and ALL FEDERAL EMPLOYEES: You have the right to refuse vaccination under the mandate if they are not offering you FDA Approved COMIRNATY which is the only vaccine the FDA has approved.

Brian,

I am a physician in the Army, but have to advise I am not representing the DOD or Army and I am only speaking as a concerned citizen. I would like to make certain that the following information is put out for all Soldiers and servicemembers as well as federal workers, so they understand their rights under the law. After reading the excellent article from the EPOCH Times last week that discussed that COMIRNATY is the only actual approved vaccine, and is "legally distinct" from Pfizer BioNTech, I also found out from that same article that the FDA approved version of COMIRNATY is not even available in the United States, and may not be available until October at the earliest. I did further research and in the same location where the FDA publishes the Vaccine Recipient Fact Sheet... there is also the FDA BLA (Biologics License Application) approval letter outlining what Pfizer needs to do before manufacturing the approved version of COMIRNATY. On page 2 under "FDA Lot Release" it states "Please submit final container samples of the product in final containers together with protocols showing results of all applicable tests. You may not distribute any lots of product until you receive a notification of release from the Director, Center for Biologics Evaluation and Research (CBER)" Only future versions of COMIRNATY manufactured with the approved ingredient and manufacturing approval from the FDA will carry the official "approved by the FDA" package insert. Furthermore, on the Vaccine Recipient Fact Sheet for Pfizer BioNTech and COMIRNATY, on page 1, the FDA clearly states that COMIRNATY is "legally distinct" from Pfizer BioNTech (bottom of the page – small writing). Therefore that means that although a mandate has been approved by the Secretary of Defense, and although the Assistant Secretary of Defense released a memo yesterday which has similar language to the top of page 1 of the Vaccine Recipient Fact Sheet, they fail to mention, and it is failed to be mentioned anywhere in Army information that I have seen, that the two are "legally distinct" as stated at the bottom of page one of the Vaccine Recipient Fact Sheet... Which means that the mandate is unenforceable under the law with the current available vaccines.

BOTTOM LINE: The current mandate by the DOD is not enforceable under the law with the currently available vaccinations. Under EUA authority, until the actual FDA approved COMIRNATY has been manufactured, and that version verified by the FDA for release and is then available for distribution and use, and also accessible to the servicemember, a service member is authorized to refuse any non-FDA approved COVID vaccination. This is a black and white issue. Which is also why no enforcement operating procedures have been released. They legally cannot enforce this mandate with the currently available vaccines. Servicemembers have the right to refuse an EUA vaccine.

