

Overview: The Acts That Need to be Repealed to End Big Pharma's Vaccine Immunity

	The National Childhood Vaccine Injury Act (NCVIA)	The Public Readiness and Emergency Preparedness Act
Main focus	Provides legal immunity for vaccine manufacturers for vaccine-related injuries or deaths.	Provides legal immunity for any "covered person" (not just vaccine manufacturers) for loss that was caused by, arose from, relates to or resulted from the use or administration of "covered countermeasures" (not just vaccines, but may include vaccines) as outlined in a "declaration" of a public health emergency (or risk of the same), which is issued by the Secretary of Health and Human Services.
Exception to immunity	The manufacturer engaged in "fraudulent or intentional withholding of information" or "failed to exercise due care."	The sole exception to the immunity is whether the "covered person" engaged in "willful misconduct," defined as an <i>"act or omission that is taken- (i) intentionally to achieve a wrongful purpose; (ii) knowingly without legal or factual justification; and (iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit."</i>
Enactment background	Came in the wake of lawsuits against vaccine manufacturers.	Came in the wake of fear about possible pandemics.
Compensation Fund	The Vaccine Injury Compensation Program. Awards are limited to up to \$250,000 "for actual and projected pain and suffering and emotional distress," or \$250,000 for death.	The Countermeasures Injury Compensation Program (CICP). Generally, it is more limited than the VICP, and awards are capped at \$50,000/year for lost employment income (with a maximum benefit based on "the amount of the death benefit calculated under the PSOB [Public Safety Officers' Benefits] Program in the same fiscal year as the year in which this lifetime cap is reached"), and a death benefit of approximately \$370,376 (as of FY2021).

<p>Claims filed / amounts paid out</p>	<p>As of June 1, 2025, since 1988, over 28,673 petitions have been filed with the National Vaccine Injury Compensation Program (VICP). Of those, 25,026 petitions have been adjudicated, with:</p> <ul style="list-style-type: none"> • 12,019 "determined to be compensable." • 13,007 dismissed. <p>Total compensation paid over the life of the program is approximately \$5.4 billion.</p> <p><i>Note: Experts estimate that injuries are vastly underreported "because the system of collecting adverse events is not required by law."</i></p>	<p>As of June 1, 2025, 14,413 claims have been filed under the Countermeasures Injury Compensation Program (CICP).</p> <p>The vast majority are for COVID-19 claims. For fiscal years 2010-2025 (<i>NB: There were no claims prior to FY 2010</i>):</p> <ul style="list-style-type: none"> • 9,434 claims are pending or in review. • Of the 4,979 decisions made, 4,864 were denied. • Of the 115 not denied: <ul style="list-style-type: none"> ○ 115 were found eligible for compensation. ○ 69 have been compensated. ○ 35 are pending benefits determination. ○ 11 have no eligible reported expenses. • Of those denied: <ul style="list-style-type: none"> ○ 1,078 failed to submit required medical records. ○ 1,048 failed to meet the "standard of proof" and/or the "covered injury not sustained." ○ 2,360 missed the filing deadline. ○ 378 fell into the category of not being a CICP covered product/not specified.
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