

August 21, 2026

VIA EMAIL AND FEDEX

The Honorable Robert F. Kennedy Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201
[REDACTED]

Re: *Request for Reconsideration of [REDACTED] CICIP Request for Benefits Determination*

Dear Secretary Kennedy:

We write on behalf of Mr. [REDACTED], a Covid-vaccine injured individual whose request for benefits and subsequent request for reconsideration were denied by the Countermeasures Injury Compensation Program (“CICP”). As expressly provided under federal law, we previously asked you to exercise *your* authority as Secretary of HHS to review CICP’s determination. Instead of getting a response from your office, as contemplated by the applicable federal law, Mr. [REDACTED] received yet another denial from Mr. George Grimes. This is a request for *your* review and consideration, *not* Mr. Grimes’s or any CICP panel’s. We now implore you again to do right by Mr. [REDACTED] and review his request with the authority granted to you by the PREP Act.

On behalf of Mr. [REDACTED], on March 9, 2026, we submitted a request for your review of a determination of the CICP. (**Exhibit A.**) That request contained all information necessary for you to review the CICP determination, including supporting documentation, a physician-reviewed and approved patient injury narrative, and a list of scientific materials supporting Mr. [REDACTED]’s serious Covid-19 vaccine injury. In other words, the request placed before you was complete, medically supported, and expressly directed to the independent authority vested in you as Secretary—not to the same subordinate official who had already denied Mr. [REDACTED]’s claim.

On April 9, 2026, we received a letter in response from HRSA’s CICP Reconsiderations Team mistaking that our request for your review was instead a request for reconsideration and stating that the deadline had been missed. (**Exhibit B.**) That response did not substantively address the request we submitted. It simply relabeled the request as something else and rejected it on a procedural ground that did not apply. We therefore wrote to you again on May 6, 2026, expressly correcting HRSA’s mischaracterization and explaining that Mr. [REDACTED] was *not* seeking another request for reconsideration from the CICP Reconsiderations Team but was instead asking *you* to exercise your statutory authority to “**at any time, on [your] own motion or on application**” to “**review any determination** made in connection with” the Countermeasures Injury Compensation Program and reminding you that you “may affirm, vacate, or modify the determination in any manner [you] deem[] appropriate.” 42 C.F.R. § 110.91. (**Exhibit C.**) By that point, there could be

no legitimate confusion regarding the nature of the relief requested or the source of your authority to provide it.

Much to our dismay and disappointment, to speak nothing of Mr. ██████'s reaction and rather than address the authority actually invoked, we received another letter of rejection dated May 29, 2026, from Mr. Grimes, the Director of the Division of Injury Compensation Programs. (**Exhibit D.**) Mr. Grimes is the same seemingly soulless individual who signed Mr. ██████'s first denial of his request for benefits on September 3, 2024 (*see* Exhibit A), nearly three years after Mr. ██████ submitted his request seeking the only recourse the federal government left available to him. Mr. Grimes likely also approved or oversaw Mr. ██████'s second denial from the CICP Reconsiderations Team but, given that the letter came without any signatory accepting responsibility for its contents (*see* Exhibit B), we cannot be sure. Thus, the official whose decision Mr. ██████ asked the Secretary to review appears to have taken it upon himself to decide whether the Secretary should conduct that review at all. **Mr. Grimes has, in fact, denied more than 98.5% of the CICP Requests for Benefits for Covid-19 claims** that have been decided to date.¹ That extraordinary record is not evidence of rigorous adjudication. It is evidence of a program that is structurally committed to denial.

Mr. Grimes claims that the authority conferred upon you as Secretary “has been delegated to the Director of the Division of Injury Compensation Programs” (Exhibit D) which is Mr. Grimes himself. That assertion is remarkable: Mr. Grimes is effectively claiming that authority delegated to him deprives the official who delegated it of the ability to review how he exercised it. To support that position, he selectively invokes the definition of “Secretary” at 42 C.F.R. § 110.3(y) to defend what he views as his sole authority, while ignoring the portion of that same definition that defines “Secretary” as “the Secretary of Health and Human Services *and* any other officer...to whom the authority conferred on the Secretary...has been delegated.” 42 C.F.R. § 110.3(y) (emphasis added) (*Id.*). This makes plain that you retain all authority conferred on you under the PREP Act, including the authority to “*at any time, on [your] own motion or on application, review any determination made under*” the Countermeasures Injury Compensation Program and to “*affirm, vacate, or modify the determination in any manner [you] deem[] appropriate.*” 42 C.F.R. § 110.91 (emphasis added). Delegation is not abdication. Nothing in the regulation permits Mr. Grimes to transform delegated authority into unreviewable personal dominion over the Program.

Mr. Secretary, if your review authority has any practical meaning, this is precisely the case in which it should be exercised. Mr. ██████'s adverse events directly following his Covid-19 vaccination are *clearly and plainly* a result of his Covid-19 vaccine, as our letter lays out. (Exhibit A.) The medical record is substantial, the temporal relationship is compelling, and the consequences to Mr. ██████ have been severe. The federal government stripped Mr. ██████ of his right to sue the vaccine manufacturer and directed him instead to the CICP. The Department has now, with your cooperation, granted one individual—Mr. Grimes—sole authority to determine whether Mr. ██████ is entitled to the only recourse remaining: the already severely limited benefits available through CICP. The Department has effectively allowed the same official who denied his claim to prevent the Secretary from reviewing that denial. That is not a meaningful

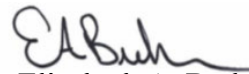
¹ <https://www.hrsa.gov/cicp/cicp-data>.

remedy. It is a closed administrative loop in which the original decisionmaker controls whether his own decision may ever be examined.

Our law firm, together with numerous injured individuals who remain sick but continue working and volunteering their time, has devoted hundreds of hours to compiling and presenting these requests for your review, given that you are Mr. [REDACTED]'s and others' last hope. You, Mr. Secretary, are not like George Grimes. You know and acknowledge that vaccine injury is real. Yet acknowledgement without action offers no relief to the people whose lives have been altered by those injuries. Referring these requests back to Mr. Grimes for so-called adjudication does not constitute independent review. It is adding insult to literal injury to Mr. [REDACTED] and all the other individuals injured by Covid-19 vaccines as it merely returns injured claimants to the official whose decisions they are asking you to examine. It converts your review authority into an empty formality and permits Mr. Grimes to serve as decisionmaker, gatekeeper, and final arbiter of his own conduct. If you have decided that you will not exercise your authority to review Mr. [REDACTED]'s case, then please state that decision plainly and in writing. Mr. [REDACTED] is entitled to know whether the Secretary has personally declined to act, rather than being left to infer that result from another letter issued by the very official whose determination is under challenge.

As we have stated from the beginning, we remain available to answer any questions and may be reached at the email address below. But further procedural deflection is neither necessary nor acceptable. The record is complete, the governing authority is clear, and the decision now rests with you. We implore you to do the right thing to exercise the authority entrusted to your office and provide Mr. [REDACTED] the independent review he has repeatedly and lawfully requested.

Very truly yours,



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