



Pass the PREP Repeal Act to Repeal Legal Immunity for Big Pharma

**Repeal Legal Immunity for Big Pharma with H.R.
4388, the PREP Repeal Act**

***Pass the PREP Repeal Act
to Repeal Sections
319F-3 & 319F-4 of the
Unconstitutional Public Readiness
and Emergency Preparedness
(PREP) Act of 2005
that provides legal immunity to
Big Pharma/Drug Manufacturers***

U.S. Representative Thomas Massie (R-Ky.) introduced [H.R. 4388, the "PREP Repeal Act,"](#) to repeal sections of the 2005 Public Readiness and Emergency Preparedness (PREP) Act that grant sweeping liability immunity to

The John Birch Society

Author: [D. Michael DeRidder](#)

Date: September 11, 2025



pharmaceutical companies and other entities for injuries caused by vaccines, drugs, and medical devices during declared public-health emergencies. The [bill has two cosponsors](#), and if enacted, the repeal dismantles what Massie calls “medical malpractice martial law” that prioritizes Big Pharma profits over individual rights.

Massie noted [in a press release](#):

The PREP Act is medical malpractice martial law.... The 2005 PREP Act prevents people from holding corporations accountable for the pain and suffering they cause during Presidentially declared emergencies. Americans deserve the right to seek justice when injured by government-mandated products. The PREP Repeal Act will restore that right.

The PREP Act, enacted in 2005, was passed to speed up emergency responses, but instead shields companies like Pfizer and Moderna from accountability, magnifying concerns about “public health” vaccine mandates, and allowed the pharmaceutical industry to overrule individual rights by enabling coercive mandates such as during the Covid-19 pandemic.

The PREP Act liability shield infringes on the Seventh Amendment-protected right to a jury trial and the due-process protections under the Fifth and 14th Amendments, denying citizens access to civil action in response to cases of myocarditis, blood clots, and wrongful death. Congress lacks authority under Article I, Section 8 to grant immunity to private entities, especially when it overrides state sovereignty and individual rights.

H.R. 4388 would repeal liability protections by eliminating section 319F-3, which shields manufacturers, distributors, and administrators of medical countermeasures (such as the Covid-19 vaccines) from lawsuits. Additionally, it would repeal section 319F-4, ending the “Covered Countermeasure Process Fund,” which has approved less than three percent of more than 13,000 Covid-19 vaccine-injury claims.

Repealing the PREP Act is a critical step toward restoring justice, accountability, and constitutionally protected rights. **Contact your U.S. representative and senators today, and** urge them to cosponsor and support H.R. 4388 the “PREP Repeal Act.” Demand an end to Big Pharma’s immunity disguised as emergency preparedness.