

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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August 1, 2023

The Honorable Lloyd J. Austin III
Secretary of Defense
1400 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Austin,

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) is investigating the development and implementation of vaccination policies and mandates.

One day after the U.S. Food and Drug Administration (FDA) announced full approval of Pfizer's COVID-19 vaccine,¹ the Department of Defense (DoD) issued the Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members on August 24, 2021.² Several weeks later, DoD released the Mandatory Coronavirus Disease 2019 Vaccination of DoD Civilian Employees memorandum.³

The mandate forced DoD civilians and armed service members to comply with taking the COVID-19 vaccine or risk adverse personnel actions to include termination and separation respectively. As of March 2023, approximately 17,000 service members refused to take the vaccine.⁴ Around half of those members have been discharged and a few secured temporary or permanent exemptions.⁵ As of January 10, 2023, the armed forces had tens of thousands of pending exemption requests.⁶ This raises serious concerns regarding the vaccine mandate's effect on military readiness.

We are investigating how the mandates came to be to inform Congressional action should there be a future pandemic. As such, to assist the Select Subcommittee in this investigation, we request the following documents and information as soon as possible, but no later than August 15, 2023:

¹ Press Release, U.S. Food and Drug Administration, FDA Approves First COVID-19 Vaccine, (Aug. 23, 2021).

² U.S. Department of Defense, *Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members*, (Aug. 24, 2021).

³ U.S. Department of Defense, *Mandatory Coronavirus Disease 2019 Vaccination of DoD Civilian Employees*, (Oct. 4, 2021).

⁴ Meghann Myers, *The fallout of the military's COVID-19 vaccine mandate*, MILITARY TIMES, (Mar. 27, 2023).

⁵ *Id.*

⁶ *Id.*

1. All documents and materials DoD and its component organizations cited, reviewed, considered, or relied upon prior to issuing the COVID-19 vaccination mandates on August 24, 2021 for service members and on October 4, 2021 for civilian employees.
2. All documents and communications between or among DoD and its component organizations and employees of the White House, including any personnel within the Executive Office of the President, regarding the COVID-19 vaccination mandates dated August 24, 2021 for service members and October 4, 2021 for civilian employees.
3. All communications, advice, and guidance DoD and its component organizations provided to or received from medical professionals within and outside the DoD prior to drafting, developing, and implementing the COVID-19 vaccination mandates dated August 24, 2021 for service members and October 4, 2021 for civilian employees.
4. All communications, advice, and guidance DoD and its component organizations provided to or received from the Joint Staff, Departments of the Army, Navy, and Air Force, and National Guard Bureau prior to drafting, developing, and implementing the COVID-19 vaccination mandates dated August 24, 2021 for service members and October 4, 2021 for civilian employees.
5. All drafts and versions of the COVID-19 vaccination mandates dated August 24, 2021 for service members and October 4, 2021 for civilian employees, including but not limited to, any drafts provided for comment, revision, or consultation.
6. All documents DoD and its component organizations, including but not limited to the Joint Staff, Departments of the Army, Navy, and Air Force, and National Guard Bureau, implementing, modifying, clarifying, or rescinding the COVID-19 vaccination mandates dated August 24, 2021 for service members and October 4, 2021 for civilian employees.
7. The number of service members and civilian employees who requested medical (temporary or permanent), religious, or administrative exemptions to receiving the vaccine and the number of those exemptions that were approved.
8. The number of service members and civilian employees who were terminated or received disciplinary or adverse administrative action due to not receiving the vaccine after the mandate was implemented.

The Select Subcommittee on the Coronavirus Pandemic is authorized to investigate “the development of vaccines and treatments, and the development and implementation of vaccination policies for Federal employees and members of the armed forces,” “the implementation or effectiveness of any Federal law or regulation applied, enacted, or under consideration to address the coronavirus pandemic and prepare for future pandemics,” and “executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic” under H. Res. 5.

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Thank you for your prompt attention to this important matter.

Sincerely,



Brad Wenstrup, D.P.M.
Chairman

cc: The Honorable Raul Ruiz, M.D., Ranking Member
Select Subcommittee on the Coronavirus Pandemic