

Congress of the United States

Washington, DC 20510

February 16, 2022

The Honorable Lloyd J. Austin
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Secretary Austin,

We are writing to request an update on the implementation of Section 720 of S. 1605, the National Defense Authorization Act for Fiscal Year 2022 (Public Law No: 117-81). As you know, Section 720 requires the Department of Defense to establish uniform procedures under which service members may be exempted from the Department's vaccine mandate, including a review of natural immunity.

We are gravely concerned that the military services are proceeding with involuntary discharges when it is unclear to us whether uniform procedures have been issued by the Department of Defense. If the Department of Defense has not issued uniform procedures or reviewed the inclusion of natural immunity and the military services are moving forward with involuntary discharges, then we believe the Department is ignoring and violating Section 720. Congress included this language to protect our service members, and we expect the Department of Defense to abide by the law.

Not only does Section 720 require the Department to establish uniform procedures, but the explanatory statement makes clear that Congress expects the Department of Defense to fully consider natural immunity. Specifically, the explanatory statement states, *"In establishing uniform standards for medical exemptions, we expect the Department of Defense to review the scientific literature to determine, to the extent possible, whether a previous COVID-19 infection may induce sustained antibody protection (natural immunity) against SARS-COV-2, thereby potentially eliminating a requirement for a vaccine. We also expect the Department to include eligibility timelines for consideration of exemptions for servicemembers nearing separation and retirement in the development of uniform procedures relating to administrative exemptions."*

Despite this language, the Navy, the Marine Corps, and the Air Force have all discharged service members over the vaccine, and on February 2, 2022, the Army announced it will immediately begin separating Soldiers. We believe that no one should be involuntarily discharged until the uniform procedures have been established by the Department of Defense, including an in-depth review of the scientific literature regarding natural immunity.

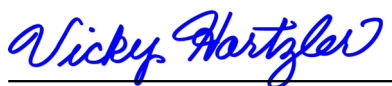
Given these concerns, we respectfully request answers to the following questions:

1. Has the Department of Defense issued uniform procedures for medical, religious, and administrative exemptions for the COVID-19 vaccine? If not, why are the military services discharging service members prior to the establishment of uniform procedures?
2. Is the Department of Defense reviewing scientific literature to determine whether a previous COVID-19 infection may induce sustained antibody protection against SARS-COV-2? If not, why are service members being discharged prior to the completion of the review?
3. Are service members tested for antibodies before being discharged due to the vaccine mandate? If not, why?
4. Is the Department of Defense considering eliminating a vaccine requirement for service members with antibody protection, as intended by Congress? If not, why?
5. How many service members have been discharged over the vaccine mandate since the FY22 NDAA was signed into law on December 27, 2021?

We firmly believe the Department of Defense should suspend involuntary discharges until an in-depth review of natural immunity is complete and the Department has issued uniform procedures for vaccine exemptions. At a time when the world faces imminent threats from both Russia and China, we cannot afford to lose talented and qualified individuals. A large exodus of service members will have negative consequences on our military's readiness, especially at a time when deterrence and strength is necessary to protect U.S. interests.

We look forward to your response on this important issue.

Sincerely,



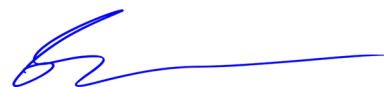
Vicky Hartzler
Member of Congress



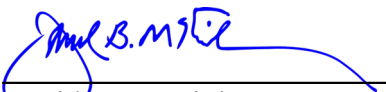
Doug Lamborn
Member of Congress



Elise M. Stefanik
Member of Congress



Brian J. Mast
Member of Congress



David B. McKinley, P.E.
Member of Congress



Darrell Issa
Member of Congress



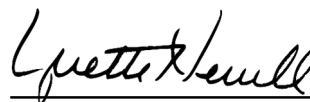
Kevin Hern
Member of Congress



Rodney Davis
Member of Congress



Bill Huizenga
Member of Congress



Yvette Herrell
Member of Congress



Michael Waltz
Member of Congress



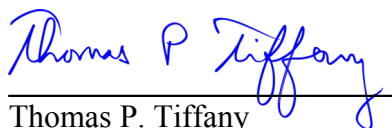
Bill Posey
Member of Congress



Michael Guest
Member of Congress



David G. Valadao
Member of Congress



Thomas P. Tiffany
Member of Congress



Pete Stauber
Member of Congress



Mike Kelly
Member of Congress



Andy Biggs
Member of Congress



Neal P. Dunn, M.D.
Member of Congress



Gus M. Bilirakis
Member of Congress



Dan Crenshaw
Member of Congress



Randy K. Weber, Sr.
Member of Congress



Louie Gohmert
Member of Congress



Lauren Boebert
Member of Congress



Glenn Grothman
Member of Congress



Alex X. Mooney
Member of Congress



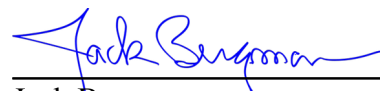
Mo Brooks
Member of Congress



Joe Wilson
Member of Congress



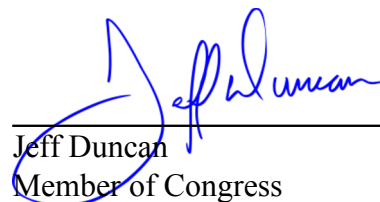
Scott DesJarlais, M.D.
Member of Congress



Jack Bergman
Member of Congress



David Schweikert
Member of Congress



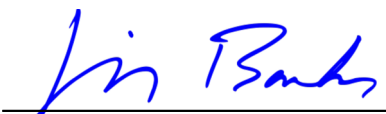
Jeff Duncan
Member of Congress



Ralph Norman
Member of Congress



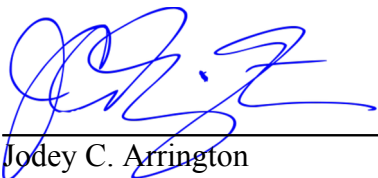
Bruce Westerman
Member of Congress



Jim Banks
Member of Congress



Eric A. "Rick" Crawford
Member of Congress



Jodey C. Arrington
Member of Congress



Barry Moore
Member of Congress



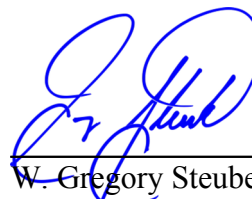
Christopher H. Smith
Member of Congress



Victoria Spartz
Member of Congress



Ted Budd
Member of Congress



W. Gregory Steube
Member of Congress