

United States Senate

WASHINGTON, DC 20510-0908

December 16, 2022

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

Dear Secretary Austin:

Now that the Senate has passed the National Defense Authorization Act (NDAA), the legislation heads to President Biden's desk to be signed into law. This year's NDAA, which provides essential funding and sets defense and national security policy for the United States, also contains a key provision we fought for which eliminates the requirement for service members to receive the COVID-19 vaccine. While we are proud to see this needed change included, simply reversing the COVID-19 vaccine mandate is insufficient to right the wrongs done to our service members. We write today to urge immediate action from the Pentagon to protect our service members and provide much-needed direction and stability for America's brave heroes and their families.

On December 7th, *NBC News* cited senior military and defense officials in its reporting that discussions about allowing the reinstatement of service members discharged for refusing the COVID-19 vaccine are underway at the Pentagon.¹ This is welcome news. The Pentagon must take every action necessary to undo the harm American service members and their families suffered when they were forcibly discharged from service. We urge you to establish a quick and thorough process so all members who were discharged because they refused the COVID-19 vaccine can be reinstated with back pay and full benefits. Doing so would provide the clarity and stability American service members and their families deserve.

Additionally, we urge you to freeze all COVID-19 vaccine-related discharges. Many service members are in limbo, and are facing discharge for their refusal to take the COVID-19 vaccine just as Congress is removing the vaccine requirement. As the Secretary of Defense, you have the power to immediately end the uncertainty these

¹ Courtney Kube, "Service members kicked out of the U.S. military for refusing Covid vaccine could be allowed to rejoin, officials say." *NBC News*, December 7, 2022.
<https://www.nbcnews.com/politics/congress/ndaa-military-vaccine-mandate-soldiers-sailors-rejoin-military-rcna60391>

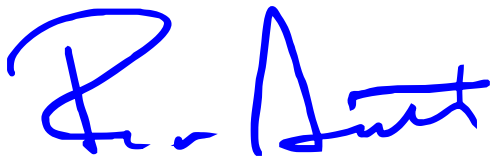
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members are feeling. All branches of our military are facing significant recruiting problems, including problems arising from the vaccine requirement. Therefore, it is in our readiness and security interests to keep these brave men and women within our ranks. Moving forward with discharges over a requirement that has been rescinded by Congress would be deeply misguided.

Thousands of brave men and women were harmed because of the Pentagon's misguided approach to the COVID-19 vaccine requirement. You have the opportunity to immediately begin undoing the harm caused. For the current and future morale and benefit our Armed Forces, we urge you to act immediately.

We appreciate your attention, and look forward to clarity from the Pentagon on this important issue.

Sincerely,



Rick Scott
United States Senator



James Lankford
United States Senator



Mike Braun
United States Senator



John Hoeven
United States Senator



James E. Risch
United States Senator



Lindsey O. Graham
United States Senator

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Mike Crapo
United States Senator



Michael S. Lee
United States Senator



Josh Hawley
United States Senator



Ron Johnson
United States Senator



Marco Rubio
United States Senator

CC: The Honorable Frank Kendall III, Secretary, U.S. Air Force
The Honorable Christine Wormuth, Secretary, U.S. Army
The Honorable Carlos Del Toro, Secretary, U.S. Navy
General David Berger, Commandant, U.S. Marine Corps
General B. Chance Saltzman, Chief of Space Operations, U.S. Space Force
Admiral Linda Fagan, Commandant, U.S. Coast Guard