

Congress of the United States
Washington, DC 20515

November 2, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

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

Dear President Biden and Secretary Austin,

We write to express our deep and growing concerns regarding your administration's vaccine mandate and the negative consequences it will have on our military's readiness and the defense industrial base, both in the short term and the long term. We echo the concerns first outlined by Senator Inhofe in his letter to Secretary Austin dated October 18 and those regarding the defense industrial base expressed in the letter led by Congressman Wittman on October 22. While we understand the intent of your vaccine mandate was to increase the Department's readiness, it is increasingly clear that the policy will have the opposite effect.

At a time when strategic competition with our near-peer rivals is accelerating, your vaccine mandate will materially damage our military's capacity to "fight tonight" and generate or reconstitute forces, while hamstringing the defense industrial base's ability to meet the demands of our warfighters. We have discussed this matter at length with our constituents and industry partners, and a common theme has emerged: the COVID-19 vaccination mandate will create an exodus of irreplaceable talent from the active duty military and the civilians who support it. A critical mass of our nation's most highly skilled employees will simply separate from the military, find work elsewhere, or retire. These experienced and credentialed individuals have options, and those who have so far decided it is in their best interest to decline taking the COVID-19 vaccine, for whatever reason, will work elsewhere or retire early.

What is also clear is that your administration and the Department of Defense have not made any meaningful inquiries into how this policy will impact the defense industrial base or military readiness. Many jobs in the military require years of training and experience before reaching peak professional performance. These are not positions which can be backfilled overnight. Large numbers of operators from throughout Special Operations Forces, skilled artisans and laborers from the organic industrial base, and defense contractors with high level clearances and years of subject matter expertise are poised to leave their respective communities.

In order to make coordination of an expeditious but thorough response simpler, we request the same information requested by Senator Inhofe in his letter to Secretary Austin (reprinted below):

- The total cost associated with discharging the service members, civilian personnel, and contractors who fail to comply with the vaccination mandate according to the current prescribed deadlines. Additionally, the cost associated with replacing these vacancies with new hires and any planning conducted for recruitment or retention strategies to offset anticipated discharges, particularly in mission-critical areas.
- The anticipated impacts to mission readiness, i.e. loss in flight training hours, loss in aircraft and shipyard repair maintenance hours, etc. if the Department pursues the discharging of service members, civilian personnel, and contractors who fail to comply with the vaccination mandate according to the current specified deadlines.
- The anticipated cost to contractors caused by failure to comply with the vaccination mandate and expected requests for equitable adjustment. Additionally, an analysis of the long term effects on the defense industrial base, particularly suppliers and subcontractors, resulting from loss of key workforce personnel.
- An analysis of the potential impacts to the workforce both uniformed and civilian if the Department were to retain those who choose not to receive the COVID vaccination. Additionally, an independent Department of Defense analysis of the potential merits of earned immunity and an assessment of the risk posed to those immunized with one of the FDA approved vaccines.
- The processes for service members, civilian personnel, and contractors seeking vaccination exemptions and the criteria by which individual cases are being adjudicated. Additionally, the process by which an individual may pursue an appeal to the initial ruling.
- An analysis of the of service members, civilian personnel, and contractors on track to comply with the vaccination mandate deadlines as currently prescribed. Additionally, a study to determine the potential risk posed to those vaccinated and unvaccinated should the Department forgo discharging those who elect not comply with the mandate.
- A classified briefing for House Armed Services Committee Members on the anticipated ability of the Department to execute operational plans within a year of the Department's dismissal of unvaccinated personnel, and any tabletop exercises or analysis planned to study such negative operational consequences.

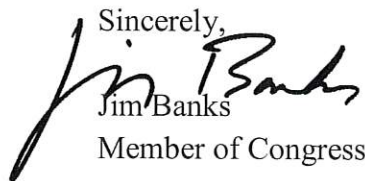
We also have concerns regarding the impact your vaccine mandate will have on defense communities insofar as they receive services from impacted private firms with more than 100 employees or who contract with the federal government. In addition to the information requested above, we have three additional requests for information:

- An analysis of how medical services will be impacted in defense communities by the loss of medical care providers who fail to comply with the vaccination mandate according to the current specified deadlines. This should include all Military Health Network facilities.
- An analysis of how installation services will be impacted by the loss of staff who fail to comply with the vaccination mandate according to the current specified deadlines. This analysis should include childcare, Service retailers (Army & Air Force Exchange Service, Marine Corps Exchange, and Navy Exchange), Department of Defense Dependents Schools, and the Defense Commissary Agency's commissaries.
- An analysis of how installation power requirements will be impacted by the loss of technicians and staff who fail to comply with the vaccination mandate according to the current specified deadlines. Many critical Department installations have their energy requirements met by the civilian power grid. This analysis should include consultation with both public and private power utility providers to determine what impact the vaccine mandate will have on their ability to meet the Department's power requirements.

In light of the significant and deleterious impacts your vaccine mandate will have on military readiness in the near and long term, some of which will take years to mitigate, **we urge you to indefinitely suspend your COVID-19 vaccine mandate for all service members, civilian personnel, and contractors until you have provided Congress the requested information.** If the findings turn out to be as negative as we anticipate, be prepared to cancel the mandate immediately to lift this cloud hanging over vital parts of our economy.

The consequences that this hastily implemented vaccination mandate will have on our national defense leaves us with grave concerns. We cannot afford the self-inflicted damage to our military readiness this mandate will cause. We look forward to your response.


Doug Lamborn
Member of Congress

Sincerely,

Jim Banks
Member of Congress


Elise M. Stefanik
Member of Congress

2 Enclosures:

1. Senator Inhofe letter to Secretary Austin, October 18, 2021
2. Congressman Wittman, et al letter to President Biden & Secretary Austin, October 22, 2021



Vicky Hartzler
Member of Congress



Robert J. Wittman
Member of Congress



Stephanie Bice
Member of Congress



Scott DesJarlais, M.D.
Member of Congress



Mo Brooks
Member of Congress



Brian Mast
Member of Congress



Jeff Duncan
Member of Congress



Louie Gohmert
Member of Congress



Bill Posey
Member of Congress



Matt Gaetz
Member of Congress



Mike Johnson
Member of Congress



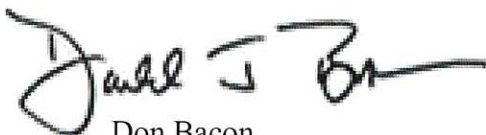
Doug LaMalfa
Member of Congress



Brett Guthrie
Member of Congress



Ronny L. Jackson
Member of Congress



Don Bacon
Member of Congress



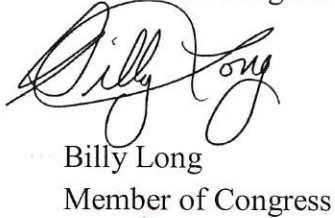
Lauren Boebert
Member of Congress



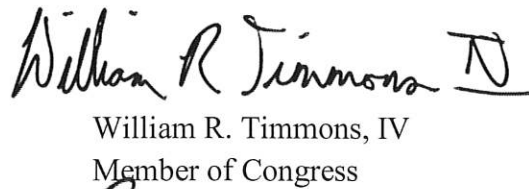
David B. McKinley, P.E.
Member of Congress



Lisa McClain
Member of Congress



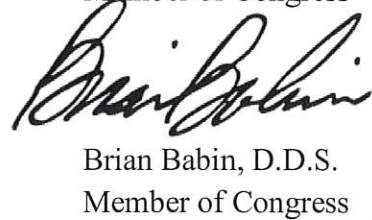
Billy Long
Member of Congress



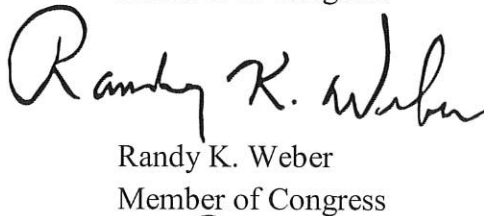
William R. Timmons, IV
Member of Congress



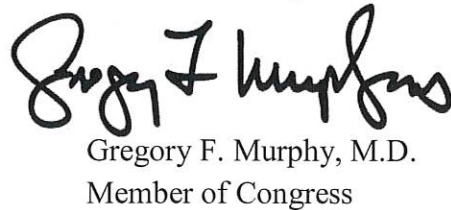
Tim Burchett
Member of Congress



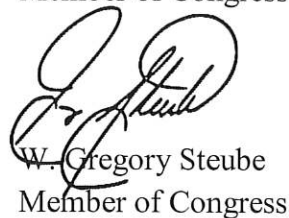
Brian Babin, D.D.S.
Member of Congress



Randy K. Weber
Member of Congress



Gregory F. Murphy, M.D.
Member of Congress



W. Gregory Steube
Member of Congress



Beth Van Duyne
Member of Congress



Ralph Norman
Member of Congress



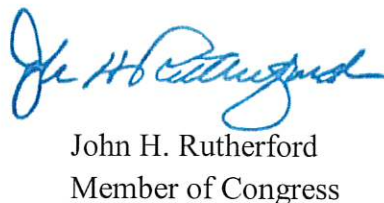
Chip Roy
Member of Congress




Dan Bishop
Member of Congress



Kat Cammack
Member of Congress



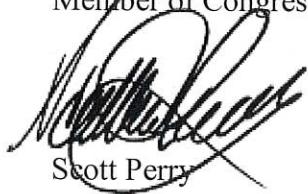
John H. Rutherford
Member of Congress



Chris Jacobs
Member of Congress



Michael Guest
Member of Congress



Scott Perry
Member of Congress



Ben Cline
Member of Congress



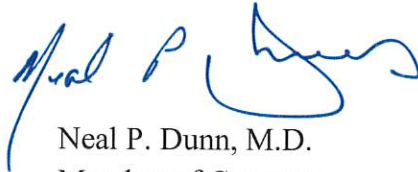
Rick W. Allen
Member of Congress



Jack Bergman
Member of Congress



Glenn Grothman
Member of Congress



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



Michelle Steel
Member of Congress



Guy Reschenthaler
Member of Congress



Jody Hice
Member of Congress



Jodey C. Arrington
Member of Congress



Van Taylor
Member of Congress



Andy Barr
Member of Congress

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United States Senate

COMMITTEE ON ARMED SERVICES
 WASHINGTON, DC 20510-6050

ELIZABETH L. KING, STAFF DIRECTOR
 JOHN D. WASON, MINORITY STAFF DIRECTOR

October 18, 2021

The Honorable Lloyd J. Austin III
 Secretary of Defense
 U.S. Department of Defense
 Washington, DC 20318-9999

Dear Secretary Austin,

I write today to express my grave concerns about this administration's imposition of COVID vaccine mandates on the uniformed and civilian workforces, at the expense of readiness and morale. This haphazardly implemented and politically motivated vaccine mandate must be immediately suspended or risk irrevocable damage to our national security reminiscent of sequestration.

At a time when our adversaries continue to increase their quantitative and qualitative advantage against our forces, we should seek to ensure that no policy, even unintentionally, hinders military readiness. Most troublesome is the lack of clarity and consistency among the services as they look to implement the administration's hasty vaccination mandate. Combined with the uncertainty and burden the vaccination mandate places on industry, this administration will do more damage to the nation's security than any external threat.

As highlighted in the recent Washington Post article, tens of thousands of service members have yet to comply with the vaccination order. The ambiguity of the various policies combined with unrealistic timelines and processes for granting exemptions will ensure that tens of thousands of personnel are unable to comply. Responses to inquiries from the Senate Armed Services Committee to the Department as to the impacts on readiness, consequences for failure to comply with the mandate and anticipated manning challenges have been unsatisfactory.

The lack of strategic foresight in the implementation of the COVID vaccination mandate is inexcusable. Plainly stated, no service member, Department of Defense civilian or contractor supporting the Department should be dismissed due to failure to comply with the mandate until the ramifications of mass dismissal are known. With an ever shrinking candidate pool, hastily executed policies such as this work to further diminish the ability of the Department to tap into the finite resource of people critical to national security. The mass attrition of personnel and further shirking of the defense industrial base at this time would only serve to hinder our ability to project power and compete against near-peer adversaries.

Accordingly, in your role as Secretary of Defense, and in conjunction with the Service Secretaries and Chairman of the Joint Chiefs and the Combatant Commanders, I ask that you provide me the following data and information pertaining to the armed forces, broken down by each Military Service and Combatant Command, and including the Joint Staff:

- The total cost associated with discharging the service members, civilian personnel and contractors who fail to comply with the vaccination mandate according to the current prescribed deadlines. Additionally, the cost associated with replacing these vacancies with new hires and any planning conducted for recruitment or retention strategies to offset anticipated discharges, particularly in mission-critical areas.
- The anticipated impacts to mission readiness, i.e. loss in flight training hours, loss in aircraft and shipyard repair maintenance hours, etc. if the Department pursues the discharging of service members, civilian personnel and contractors who fail to comply with the vaccination mandate according to the current specified deadlines.
- The anticipated cost to contractors caused by failure to comply with the vaccination mandate and expected requests for equitable adjustment. Additionally, an analysis of the long term effects on the defense industrial base, particularly suppliers and subcontractors, resulting from loss of key workforce personnel.
- An analysis of the potential impacts to the workforce both uniformed and civilian if the Department were to retain those who choose not to receive the COVID vaccination. Additionally, an independent Department of Defense analysis of the potential merits of earned immunity and an assessment of the risk posed to those immunized with one of the FDA approved vaccines.
- The processes for service members, civilian personnel and contractors seeking vaccination exemptions and the criteria by which individual cases are being adjudicated. Additionally, the process by which an individual may pursue an appeal to the initial ruling.
- An analysis of the of service members, civilian personnel and contractors on track to comply with the vaccination mandate deadlines as currently prescribed. Additionally, a study to determine the potential risk posed to those vaccinated and unvaccinated should the Department forgo discharging those who elect not to comply with the mandate.
- A classified briefing for Senate Armed Services Committee members on the anticipated ability of the Department to execute operational plans within a year of the Department's dismissal of unvaccinated personnel, and any tabletop exercises or analysis planned to study such negative operational consequences.

Although the actual costs associated with each of these undertakings is certainly cause for concern, the opportunity cost they have and continue to visit on the force, its readiness, and morale is nothing short of devastating—particularly in light of current threats.

I look forward to receiving your written response and your views on these important matters not later than November 1, 2021.

Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Inhofe". The signature is fluid and cursive, with the first name being the most prominent.

James M. Inhofe
Ranking Member

Congress of the United States
Washington, DC 20515

October 22, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

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

Dear President Biden and Secretary Austin:

We write to express our concerns with respect to the impending vaccination deadlines for Department of Defense contractors. We fear that policy makers are chasing direct benefits without respectful consideration of indirect costs. Our defense industrial base is not a monolithic entity – the hardworking patriots who comprise the backbone of the industry come from diverse backgrounds.

As such, though many contract workers have opted to receive vaccination, many have not, and the reasons are abundant. The system for application for a waiver is arcane and for most, seemingly nonexistent. They now face uncertainty in their livelihoods: compromise their concerns about the ethics, efficacy, and safety of the vaccine, or accept termination in employment.

We have, from day one, promulgated CDC and DoD guidance. We have championed the vaccine rollout and battled the surrounding misinformation. But we cannot stand idly by while the DoD makes a mistake that will inevitably compromise national security for decades. Those who adamantly refuse the vaccine will accept termination. We will lose critical experience in skilled labor. We will lose opportunities for mentorship and on-the-job training from veteran craftsmen. In the long-term, we will miss quality control standards. We will face endemic cost overruns and rework as decades of lessons are not passed to the next generation.

Perhaps most concerning to us lies in the near-term. When the deadlines and cost estimates aren't met, who shoulders the responsibility? If a contractor loses key members of its workforce due to a post-negotiation customer demand, the customer is to blame. The Department of Defense is the customer and will ultimately be at fault when the industrial base falters at a crucial turning point in our deterrence of China.

In this era of strategic competition, everything must be considered a front in an evolving battlespace. Cost-benefit analysis must be applied to every investment, and we do not find this to be one that is sound. We strongly urge you to reconsider the manner in which you are seeking to address this issue so as not to harm the livelihood of civilian contractors, industry partners, and strategic goals of our armed services.

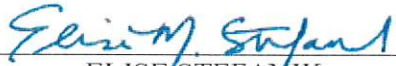
Don't miss the forest for the trees.



ROBERT J. WITTMAN
Member of Congress



MIKE ROGERS
Member of Congress



ELISE STEFANIK
Member of Congress



VICKY HARTZLER
Member of Congress



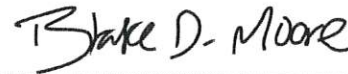
DOUG LAMBORN
Member of Congress



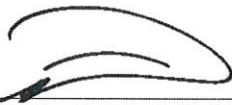
JOE WILSON
Member of Congress



JACK BERGMAN
Member of Congress



BLAKE MOORE
Member of Congress



SCOTT DESJARLAIS
Member of Congress



JERRY CARL
Member of Congress



BILL POSEY
Member of Congress