

Restoring Trust in the United States Military and the Establishment of the President's Commission on Military COVID-19 and Anthrax Policies (COMCAP)

By the authority vested in me as President and as Commander in Chief by the Constitution and the laws of the United States of America:

I, DONALD J. TRUMP, President of the United States of America and Commander in Chief of its military, in the name, and by the authority of the people of the United States, hereby establish my guidance to restore the United States Military to its former glory. As the first and most important of my three military lines of effort, Restoring Trust in the United States Military is an absolute necessity so that the great people of the United States of America can rest assured that this formidable force will only, and can only, be used to secure their blessing of liberty and provide for their common defense.

The United States Military was once revered as the most trusted institution in America. That changed significantly beginning in 2020 with Gallup polls reporting American's trust in the military as low as 60% by mid-2023. Military polling in 2019 indicated that as many as 75% of military families would recommend military life to someone considering joining. That number had fallen to 63% only 2 years later. During this period, recruiting suffered severely with services missing recruiting goals several years in a row. The services then reduced their end-strength goals, purposefully reducing their combat-capability and warfighting readiness in order to hide their disastrous destruction of trust with the American people. To add insult to injury, the services then reduced recruiting standards in order to meet newly-lowered recruiting targets.

In the wake of these destructive policies, my administration will commence a great campaign to rebuild our military to pinnacles of prominence never witnessed on Earth. American military might will be the envy of nations and the dread of evil-doers. The first steps on this road to restoring American military power will be the rebuilding of trust with our own citizen service members by repairing violations of their rights so recently inflicted.

Both senior civilian and senior uniformed military leadership failed in their sacred duty to protect the Constitutional rights of their members in the implementation of COVID-19 and Anthrax mandate policies. These violations were confirmed by judicial rulings in multiple federal courts. The fact that thousands of citizen service members had to seek recourse with federal courts to fight off violations of their rights, is itself a betrayal. Affected service members estimate that over 80,000 members were forced, coerced, compelled, or otherwise prematurely induced to leave service as a result of COVID-related policies. Despite having taken oaths to defend the Constitution, senior military leaders trampled the constitutional rights of their subordinates. A great many of our military leaders, especially at the highest ranks, mistook loyalty to the Institution for their sacred duty to the Constitution, and in so doing, violated their oaths.

The evidence of these violations is significant and has been confirmed by multiple federal court rulings. These findings are based upon judicial review of law and statute by the Supreme Court and Federal Court rulings in *Seals v. Biden* 578 F. Supp. 3d 822 (N.D. Tex. 2022), *Doster v Kendall* 54 F.4th 398 (6th Cir. 2022), *Doe v. Rumsfeld* 341 F. Supp. 2d 1 (D.D.C. 2004), and *National Federation of Independent Business v. OSHA*, 595 U.S. ____ (2022). I further considered DODIG 20220601/1440 report of systemic religious discrimination, House Report 106-556 in April 2000, and the pleadings of affected service members harmed by unconstitutional actions through the COVID-19 and Anthrax mandate periods from 20 January 2021 to 19 January 2025 and 1 December 1997 to 1 February 2007, respectively.

Pursuant to my authority to pardon, I hereby grant unconditional, retroactive, and unilateral record corrections for all affected service members for any discharge or discipline imposed by the Department of Defense (DoD) and Department of Homeland Security (DHS) related to the mandatory DoD Anthrax Vaccine Immunization Program and the mandatory Coronavirus Disease 2019 Vaccination, to include the preceding unlawful mandatory masking and testing, of service members. Service members need not request corrections but may if they find DoD or DHS remedy inadequate.

Military mandatory vaccination orders issued for service members to take the COVID-19 and Anthrax medical countermeasures were unlawful because such orders violated The People's God-given rights to refuse medical procedures without consequence. Our founding fathers recognized the inalienable right for the people to be secure in their person and limited government authority by establishing due process and reserving powers to the states and the people. Citizen rights supersede federal authorities and duties related to national security.

During both the COVID-19 and anthrax mandates, the government, failed to fulfill its duty to preserve citizen rights, in fact violating them. Further, the Government failed to fulfill its duty to provide fully informed consent per Title 10 section 1107 and the Belmont Report codified in Title 45 Part 46 of the Code of Federal Regulations. The government also failed to provide approved drugs per Federal Register, Vol. 70, No. 21, on February 2, 2005, page 5452. All shots administered during the COVID and Anthrax mandate periods were either investigational new drugs or were only authorized for emergency use, meaning they had not received full approval by the Food and Drug Administration. Through both mandates non-approved products were often falsely presented as approved, despite laws specifically prohibiting this activity. Further, directives, policies, and practices to coerce compliance with unlawful vaccination mandates were themselves unlawful, including those actions that censored objectors, denied religious accommodations, ignored natural immunity, punished those seeking redress, required weaponized quarantines, discriminated based on religion or genetic testing, directed masking and testing, and actions that disparaged, shamed, bullied, and diminished affected service members resisting the unlawfulness.

No military official has authority to violate the rights of service members. They have no authority to coerce any unapproved medical product on any human, let alone our own citizen service members. Service members do not lose their constitutional rights when they join. Service member rights to exercise their religion, to petition government for redress, and to be secure in their persons are protected by this government purposed for doing so and the officials

sworn to such duty. Never again shall service members be medically experimented upon without fully informed consent.

The affected service members who fulfilled their Oath to the Constitution by refusing the unlawful orders surrounding COVID-19 and Anthrax policies, at existential professional risk, are the most honorable and distinguished among us. Such courage, on par with other acts of valor, demonstrated superior discernment, courage, honor, and integrity. These heroes suffer for their virtue to this day. Service members shall not be punished, but rewarded, for fulfilling their duties to disobey unlawful orders, seeking clarification of orders when circumstance allow, or exercising their rights.

On the other hand, officials that violated affected service member rights shall be held accountable for violating their oaths of office and numerous other laws, statutes, policies, and the Department of Defense's (DoD) own regulations.

This order directs necessary action and provides authority to prevent future violations of rights, to ensure fulfillment of duties, and to provide justice, reconciliation, and redemption in the aftermath of the COVID-19 and Anthrax mandates and policies of discrimination, negligence, and coercion surrounding those mandates.

Accordingly, I hereby order:

Section 1 *Identification.* Within 15 days of the date of this order, the Secretary of Defense, Secretary of Homeland Security, and Secretary of Veteran Affairs shall compile and provide a comprehensive list of all service members who were separated, forced to transfer to reserve components, retired early, punitively discharged, forced to exit service, blocked from re-enlistment, had a significant shift in career trajectory, or were otherwise adversely impacted in their career coincident with non-compliance with the unlawful COVID-19 mandate.

Section 2 . *Apology.* Within 30 days of the date of this order, the Secretary of Defense, Secretary of Homeland Security, and Secretary of Veteran Affairs, on behalf of their respective offices, shall issue an apology to all employees and service members for implementing unlawful policies of mandating, without fully informed consent, the COVID-19 vaccine, censoring, denying religious accommodations, ignoring natural immunity, imposing a religious test for service, masking, testing, quarantining, punishing or ignoring those seeking redress, and socially distancing during COVID, for systemic religious discrimination, and for the failure of Departmental systems for redress including Equal Opportunity, Inspector General, Congressional inquiry responses, and complaints pursuant to Title 10 Section 938. The Secretaries of these departments shall encourage subordinates to apologize to those they harmed and for those harmed to accept apologies.

Section 3 . *Securing Service Member Rights to be Secure in their Person.* Within 60 days of the date of this order, the Secretary of Defense shall revise all DoD policies and directives to fulfill the government's duty to keep service members secure in their persons.

- (a) DoD shall ensure service members have informed consent as specified in the Belmont Report in offering any medical product, test, or countermeasure to service members, not just for research.
- (b) The Secretary of Defense shall apply Title 10 sections 1107 and 1107a in totality through imposing, solely upon the government, a duty to provide service members fully informed consent for all medical products, tests, and protections including Investigational New Drugs. Fully informed consent requires a circumstance devoid of coercion or incentive and full disclosure of available information. Similar to how Miranda Rights are provided prior to arrest of suspects in criminal justice, DoD will ensure service members are informed of their right to refuse medical services, without professional or other consequence, unless the President waives such responsibility to inform a service member of their rights per Title 10 section 1107a. The U.S. government has no authority to impose upon any citizen's right to refuse a medical treatment, nor to levy consequence upon citizens (including service members) for refusal of medical treatment. This clarification supersedes Executive Order 13139—Improving Health Protection of Military Personnel Participating in Particular Military Operations.
- (c) The DoD shall update all policies and directives to eliminate all mandates and incentives associated with medical products, tests, and countermeasures.
 - a. DoD shall specify that it is the policy of DoD to comply with the recommendations of the Belmont Report for the establishment of fully informed consent in the administration of all medical care.
 - b. DoD medical care, research, and public health policies shall only recommend, never order, medical treatments, tests, and countermeasures.
 - c. There shall be no negative or positive consequence imposed by DoD for compliance with, or refusal of, medical recommendations. Any form of coercion against service members regarding medical matters shall be strictly prohibited and the perpetrators held accountable.
 - d. DoD shall ensure commanders are aware they have no authority to issue any order regarding medical treatments, tests, or countermeasures. Commanders may only make recommendations, referrals, and provide information concerning medical matters. They must create a command environment consistent with fully informed consent ethics. Commanders may not issue military orders for medical purposes such as medical treatments, medical tests, or medical countermeasures. Commanders retain authority to issue orders concerning mission accomplishment, unit cohesion, good order and discipline, and mission readiness, and health. Orders concerning health must be limited to diet, fitness, protection against adversary actions, sanitation, or operational risk and safety and always with fully informed consent, which includes the right to refuse without professional consequence. Orders for mission accomplishment that involve personal risk to service members caused by enemy action are authorized as such orders are not issued for health purposes.
 - e. DoD shall specify severe punishments of persons who fail in their duties to protect the rights of service members, the sacred duty of all service members.
 - f. DoD shall provide the public a report of how it will prevent experimentation upon service members and secure their rights of fully informed consent, specifying

where current and new policies provide sufficient guidance and mechanisms to fulfill the intent of this order.

- (d) DoD shall institute annual training of medical providers, supervisors, and service members of their duties and rights in the administration and receipt of medical care.
 - a. Training shall cover:
 - i. that service members never lose their rights when they join;
 - ii. that among those rights is the right to be secure in their person and refuse any medical treatment;
 - iii. that the government has a duty to provide fully informed consent for all medical treatments;
 - iv. history of Tuskegee experiments, Hitler's experimentation upon prisoners, the Belmont report, and the proper role of leadership through pandemics and biologic attacks;
 - v. that protecting rights is how they support and defend the Constitution and their duty as sworn in their Oath of Office or Oath of Enlistment;
 - vi. that every person must "be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him or her to make an understanding and enlightened [medical] decision."
- (e) DoD shall coordinate with Congress to obtain legislation that stipulates anthrax and COVID vaccinations are part the PACT Act for presumptive disability determinations.

Section. 4. *Establishment and Support of the President's Commission on the Military's COVID-19 and Anthrax Policies (COMCAP).*

(a) Within 10 days of the date of this order, the Secretary of Defense shall establish in the Department of Defense the President's Commission on the Military's COVID-19 and Anthrax Policies ("COMCAP") to provide justice, reconciliation, and redemption surrounding the treatment of all affected service members subject to COVID-19 and Anthrax mandates. COMCAP shall have all authority and responsibility of Service Board for Correction of Military/Naval Records to address possible consequences from the mandates, associated policies used to coerce compliance, and derived impacts, especially shifts in career trajectory and correlated emergence of discipline issues.

(b) COMCAP shall be composed of not more than 20 members, who shall be appointed by the President. Members shall serve for a term of 3 years and shall not be removed except for inefficiency, neglect of duty, or malfeasance. COMCAP may include individuals from outside the Federal Government with relevant experience or subject-matter expertise. COMCAP shall only include members who sought accommodation or exemption from the COVID-19 or anthrax treatments and may also include the following ex-officio members or such officials as those members may designate:

- (i) the Secretary of Air Force;

- (ii) the Secretary of Army;
- (iii) the Secretary of Navy;
- (iv) the Secretary of Veteran Affairs;
- (v) the Secretary of Homeland Security; and
- (vi) the Assistant to the President for Domestic Policy;

(c) COMCAP shall:

- (i) produce a report for the President, within 1 year of the date of this order and every year thereafter until conclusion of this commission, which shall be publicly disseminated, regarding actions taken by the commission to fulfill its objectives and assessment of Department of Defense, Department of Veteran Affairs, and Department of Homeland Security fulfillment of this order. Each such report shall identify the specific records corrected;
- (ii) advise and offer recommendations to the President on policy, messaging, and personnel pursuant to the purposes of this order;
- (iii) advise executive departments and agencies with regard to their efforts to enhance trust and confidence in military leadership in the aftermath of COVID-19 and Anthrax policies;
- (iv) with concurrence of the military departments, have full authority to correct military records, return to service, assign, change duty stations, promote, task, award and decorate, recommend for commission, discipline, and direct other personnel actions to fulfill the purposes of this order. These authorities exceed those of Service Board for Correction of Military/Naval Records. Should Services not concur with COMCAP's exercise of authority, the Service Secretary, the secretary of Defense and ultimately the President will resolve. The unprecedented harm caused by these policies warrant unprecedented authority to correct.
- (v) review records of all members who submitted an exemption or accommodation request for COVID-19-related orders and policies including shots, testing, and masking, as well as anthrax exemption or accommodation requests during the mandates. Records review will note deviations in career progression correlating with requests for exemption or accommodation.
- (vi) direct remedy for affected service members who requested accommodation or exemption from COVID-19 or anthrax mandates, were harmed for non-compliance with the mandates, and suffered under associated policies and command climate. At discretion of COMCAP, remedy may include:
 - (A) all remedies available to Service Board for Correction of Military/Naval Records
 - (B) restoration of backpay including allowances and bonuses, lost service days and points counted for retirement for up to 6 years following date of discharge, separation, or retirement or date when remedial action occurs, whichever is less;

- (C) restoration of service credit and time-in-grade for up to 6 years following issuance of the anthrax vaccine mandate on 1 December 1997 and the COVID mandate on 24 August 2021;
- (D) reinstatement of rank and lost time towards promotion and retirement seniority;
- (E) promotion up to two grades, with concurrence from Congress when required and specification of Date of Rank(s) to align with peer group;
- (F) return to service;
- (G) resumption or initiation of initial military training including basic military training, appointment to service academy, or award of ROTC scholarship and upon commissioning, expedited opportunities to make competitive with peers;
- (H) resumption or initiation of advanced training, professional development;
- (I) direction of assignment when qualified to include into Command billets;
- (J) alteration of discharge characterization;
- (K) award of involuntary separation pay;
- (L) award of bonus recoupment;
- (M) award of GI bill benefits, to include repayment of costs incurred (if applicable)
- (N) expungement of adverse actions from records;
- (O) obtainment or waiver of service commitments;
- (P) enablement early retirement;
- (Q) reimbursement for medical care costs incurred due to the loss of service provided medical care;
- (R) reimbursement for the cost of life insurance purchased when service provided insurance was lost;
- (S) granting of service connected disability for those who passed away while waiting for their VA benefits
- (T) reward of SGLI benefits to the families whose affected service member passed away due to service connected issues after being unlawfully discharged
- (U) restoration of pilot and crew flight status;
- (V) granting of permanent religious accommodations and medical exemptions;
- (W) granting of disability to those medically discharged due to harm from the COVID-19 shot;
- (X) provision of disability evaluation to those harmed by the COVID-19 shot;
- (Y) obtainment of hold harmless and indemnity agreements from affected service members;
- (Z) order and funding for any move or Permanent Change of Station.
- (AA) and transfer affected service members who wish to continue serving in a different branch of service or reserve, active or guard duty status.

(vii) coordinate, validate, and report on Department of Defense's delivery of remedy to affected service members.

(vii) review all policy updates made by the Department of Defense based on Section 2 of this order.

(vii) conduct and review surveys of service members and veterans.

(viii) review Department of Defense handling of complaints including Inspector General, Equal Opportunity, Congressional Inquiry and complaints pursuant to Title 10 section 938 filed by those seeking exemption, accommodation, or redress for policies surrounding COVID-19 or Anthrax or reporting discrimination, fraud, waste, or abuse.

- (A) COMCAP shall receive for review all complaints filed by those affected by COVID-19 and Anthrax mandates from Departments. COMCAP may request service members voluntarily provide complaints directly to it.
- (B) COMCAP shall identify instances where officials exceeded their authority, violated service member rights, misled congress, retaliated against those seeking redress, engaged or concealed in discrimination, fraud, waste, and abuse or other illegal behavior.
- (C) COMCAP shall identify complaints that were not properly or fairly adjudicated, resolved, or dispositioned.
- (D) COMCAP shall make criminal and legal referrals as required by duty and law.
- (E) COMCAP shall include findings from this review in its annual report.

(d) COMCAP shall have a Chair and Vice Chair, designated by the President from among its members. An Executive Director, designated by the Secretary of Defense in consultation with the Assistant to the President for Domestic Policy, shall coordinate the work of COMCAP. The Chair and Vice Chair shall work with the Executive Director to convene regular meetings of COMCAP, determine its agenda, and direct its work, consistent with this order.

(e) The Department of Defense shall provide funding and administrative support for COMCAP, to the extent permitted by law and subject to the availability of appropriations.

(f) Members of COMCAP shall be given the option to reenter military service and serve in a military grade two (2) higher than which they separated as active duty accruing back-pay, time in grade and time in service from the date of their separation or retirement or may serve without compensation, but shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(g) Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.), may apply to COMCAP, any functions of the President under that Act, except that of reporting to the Congress, shall be performed by the Secretary of Defense, in accordance with the guidelines issued by the Administrator of General Services.

(h) COMCAP shall terminate 3 years from the date of this order, unless extended or shortened by the President.

Section 5 . *Support to COMCAP.* Within 10 days of the date of this order, the Secretary of Defense (Secretary) shall establish an office or task force of 30 persons to support the COMCAP.

- (a) Secretary of Defense shall direct Department of the Air Force, Department of the Army, and Department of the Navy boards of military corrections to partner and support

COMCAP, to include utilizing existing policies and procedures when beneficial to expedite remedy for affected service members.

- (b) DoD and DHS shall provide COMCAP a roster of the names of all service members who applied for COVID-19 or Anthrax vaccine accommodation with current contact information.
- (c) DoD, DHS, and DVA shall provide access to task management tools, personnel record systems, and means for mass communication with all service members and veterans.
- (d) DoD and DHS shall issue a preserve records notice for all personnel regarding COVID-19-related policies, personnel actions, or complaints.
- (e) DoD, DHS, and DVA shall specify expedited procedures to act upon COMPAC's recommendations.
- (f) DoD shall provide a list and contact information of all service members who were discharged, separated, or retired from service in the last four (4) years.
- (g) Veteran affairs shall provide a list and contact information of all service members who were discharged, separated, or retired from service in the last four (4) years.
- (h) DoD, DHS, and DVA shall support COMCAP surveys of service members and veterans.
- (i) DoD, DHS, and DVA shall make all command climate survey results from 2021 through 2025 available to COMCAP.

Section 6. *Remedy Records of Service Members Affected by Policies Surrounding the COVID-19 and Anthrax Mandates.* Within 365 days of the date of this order, the Secretary of Defense and Secretary of Homeland Security shall:

- (a) without necessity of application from the affected service member, or representatives of former affected service members, administratively and retroactively correct the personnel records for all adversely affected current and former service members.
- (b) unconditionally upgrade all characterizations of COVID-19 and Anthrax related discharges to fully honorable, issue good conduct medals in accordance with anthrax mandate precedent corrections cases, and reinstate previously earned Veteran Administration GI Bill educational benefits.
- (c) unconditionally upgrade all characterization of discharge to fully honorable, expunge any adverse administrative action for infractions reasonably related to COVID-19 mandate and associated policy non-compliance, reinstate previously earned Veteran Administration GI Bill educational benefits to affected service members or their dependents with back-time, issue good conduct metals in accordance with anthrax mandate precedent corrections cases, offer reinstatement, grant constructive credits for all missed service for discharged affected service members and for all currently serving members that lost creditable service, offer special selection boards for all missed promotions as if they never left service and hit all professional milestones, and allocate retroactive pay for any affected service member that returns to duty.
 - a. in the case of reinstatements, Services shall make recommendations to temporarily suspend up to 5 years the upper statutory end strength caps placed on services to comply with statutory end strength requirements.
 - b. ensure that similar duties are offered to reinstated affected service members, it shall be at the sole discretion of the affected service member to voluntarily change duties in the event a career path is fully staffed.

- c. incentivize reinstatement of affected service members who were voluntarily or involuntarily separated and are directed to offer the maximum allowable bonuses, where possible preferential assignments, and immediate access to career development opportunities to repair careers
- d. support affected service members who wish to continue serving in a different service branch by enabling them to apply for transfer in conjunction with their reinstatement request. Service Components shall expedite requests on a case by case basis and shall generally approve the request if affected service member is qualified in accordance with service policy. Similarly, if an affected service member requests to transfer components into the Reserve or Active Component of their respective service, Service Components shall expedite requests on a case by case basis and shall generally approve the request if service member is qualified in accordance with service policy.
- (d) notify all affected current and former service members of this order causing updates to personnel records and reissue updated discharge documentation with restoration of de novo rights and privileges pertaining to the unconditional fully honorable upgrade to characterizations of service for any and all former affected service.
- (e) report all personnel actions to COMCAP for review.
- (f) in all cases, affected service members who are separated from service shall be offered to return to active, reserve, guard duty in any desired service and any specialty in which they fulfill requirements.
- (g) in cases of Active Duty personnel and Full Time Support personnel of the Reserve and National Guard Components with less than 15 years of active service by date of this executive order with service time reconstructed who were separated and do not choose to return to service, they shall be entitled to full separations pay and be transferred to the Standby Reserve of their respective service and maintained on an Inactive Status List until such time as they may be reinstated or removed in accordance with the statutes governing that strength category.
- (h) in cases of Reserve Component and National Guard personnel who were separated with less than fifteen satisfactory years of service by date of this executive order with service time reconstructed who were separated and do not choose to return to service, allow voluntarily transfer to the Standby Reserve of their respective service and be maintained on an Inactive Status List until such time as they choose to be reinstated or removed in accordance with the statutes governing that strength category.
- (i) in cases of Officers and Enlisted personnel in the Reserve Component and National Guard who choose to not return to service and have completed more than 15 years but less than 20 Satisfactory years of service by signing of this executive order with service time reconstructed, allow voluntarily transfer to the Standby Reserve of their respective service and be maintained on the Active Status List until such time as they may be reinstated or complete the requisite requirements for purposes of submitting for Reserve Retirement in accordance with the statutes governing that strength category.
- (j) in cases of Officers and Enlisted personnel who were separated and have completed more than 15 years but less than 20 years of active duty service by date of this executive order with service time reconstructed, authorize early retirement as authorized by Section 508 of Public Law 114-328, the National Defense Authorization Act for Fiscal Year 2017.

- (k) in cases of Officers and enlisted personnel completed 20 or more years of active duty service and were forced to retire early, recalculate retirement years in accordance with service reconstruction as authorize herein and by applicable service policy.

Section 7. *Settlement of Outstanding COVID and Anthrax litigation.* Within 365 days the United States Attorney General (AG) shall settle cases relating to affected service member grievances on terms that comply with federal law and consistent with the intent dictated in this order. COMCAP shall advise and coordinate on such settlements. AG shall incorporate COMCAP and Department remedies with affected service members into settlements to minimize litigation.

Section 8. *Ensuring Sufficient Resources for Implementation.* The Secretary of Defense, in consultation with the heads of such agencies as the Secretary deems appropriate, shall identify funding requirements to support the efforts described in this order and incorporate such requirements into its annual budget submissions to the Office of Management and Budget.

Section 9. *Definitions.* For the purposes of this order, the following definitions apply:

- (a) The term “affected service members” means those service members harmed by unconstitutional and unlawful actions through the COVID-19 and Anthrax mandate periods from 20 January 2021 to 19 January 2025 and 1 December 1997 to 1 February 2007, respectively. This includes all service members who applied for accommodation or exemption from any Force Health Protection policy or vaccine mandate, received discipline for non-compliance of Force Health Protection policy or mandate, or separated during those periods
- (b) The term “Service Board for Correction of Military/Naval Records (BCM/NR)” are boards and activities under Air Force Review Boards Agency (includes Space Force applicants), Army Review Boards Agency, Board for Correction of Naval Records (includes Marine Corps applicants), DHS Office of the General Counsel Board for Correction of Military Records.
- (c) The term “Investigational New Drugs” is a drug or biological drug that has not been approved for general use by the FDA. It is used in a clinical trial to investigate its safety and efficacy. The term also includes biological products that are used in vitro for diagnostic purposes.
- (d) The term “medical countermeasure (MCM)” is a product that can be used to treat, prevent, or diagnose conditions related to a public health emergency
- (e) The term “medical matter” means information respecting the medical or psychiatric condition, including without limitation the physical and the mental condition, of a natural person or persons, however recorded, obtained, or communicated.
- (f) The term “[medical] test” is a procedure performed to determine a person's physical condition and general health. The purpose of a medical test is to diagnose, detect, or monitor diseases, disease processes, or susceptibility.
- (g) The term “medical treatment” means the management and care of a patient for the purpose of combating disease, injury, or disorder.
- (h) The phrase “policies surrounding the COVID-19 and Anthrax mandates” means Secretary of Defense orders for the military to receive vaccination, Force Health

Protection Measures, Department level to unit- level policies and procedures derived from those mandates especially personnel policies and decisions.

- (i) The term “service member” means a member of the uniformed services, as that term is defined in section 101(a)(5) of title 10.
- (j) The term “separated” means service-members who separated from service, were forced to exit service (or transfer to a reserve component, such as the IRR) under threat of adverse action, those prevented from continuing service (i.e. not approved for re-enlistment) due to non-compliance with unlawful vaccine mandate, and those whose career trajectories shifted significantly coincident with vaccine mandates that resulted in separation or retirement.

Section 10. General Provisions. (a) The Secretary, in consultation with the heads of such other agencies as the Secretary deems appropriate, is hereby authorized to take such actions, including the promulgation of rules and regulations, and employ all powers granted to the President as may be necessary to carry out the purposes of this order. The Secretary may redelegate any of these functions to other officers within the Department of Defense, consistent with applicable law and the intent of this order. All departments and agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

(b) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof.
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (d) Nothing in this order prohibits or otherwise restricts authorized intelligence, military, law enforcement, or other activities in furtherance of national security or public safety activities.
- (e) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.