

FOR IMMEDIATE RELEASE

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Feds For Freedom Releases Adirim Deposition, Calls for Congressional Subpoena and Full DoW Records

WASHINGTON, D.C. — On Constitution Day, Feds For Freedom released the [full transcript](#) of Dr. Terry Adirim’s August 12, 2026 deposition and called on Congress and the Department of War to act on what it shows about her role in implementing the COVID-19 vaccine mandate.

September 17 marks the anniversary of the signing of the Constitution, which binds every officer of the United States. Feds For Freedom urges House Oversight Chairman **James Comer**, Senate Homeland Security Chairman **Rand Paul**, and Permanent Subcommittee on Investigations Chairman **Ron Johnson** to subpoena Dr. Adirim to testify under oath.

On behalf of service members subjected to the mandate, the organization also urges Secretary of War **Pete Hegseth**, Under Secretary of War for Personnel and Readiness **HON Anthony Tata**, and Department of War General Counsel **Earl G. Matthews** to release all official communications concerning the staffing, legal review, and issuance of Dr. Adirim’s September 14, 2021 interchangeability memorandum.

On August 24, 2021, then-Secretary of Defense Lloyd Austin limited compulsory COVID-19 vaccination to fully licensed products, “in accordance with FDA-approved labeling and guidance.”¹ Three weeks later, **Acting Assistant Secretary of Defense for Health Affairs Terry Adirim** directed military providers that they “will use” the Emergency Use Authorized Pfizer-BioNTech product interchangeably with FDA-licensed Comirnaty.²

The FDA described the products as having the same formulation and as usable interchangeably, while stating they remained “legally distinct.”³ Under 10 U.S.C. § 1107a, a service member offered an EUA product must be told he may refuse. Only the President may waive that condition, in writing. Only the Secretary of Defense may request such a waiver.⁴ No waiver was

¹ SecDef Austin Memorandum, “Mandatory Coronavirus Disease 2019 Vaccination of Department of Defense Service Members” (Aug. 24, 2021).

² Acting ASD(HA) Terry Adirim Memorandum, “Mandatory Vaccination of Service Members using the Pfizer-BioNTech COVID-19 and Comirnaty COVID-19 Vaccines” (Sept. 14, 2021); DoD FOIA 22-F-1262.

³ FDA Comirnaty Q&A / EUA reissuance letters; Decl. of Peter Marks, M.D., Ph.D. (products “are legally distinct”).

⁴ 10 U.S.C. § 1107a(a)(1); DoDI 6200.02, Enc. 3, § E3.4 (only the Secretary of Defense may request a presidential waiver).

issued. In November 2021, the Department conceded that fact in open court. A federal judge wrote that without a waiver, “the DOD cannot mandate vaccines that only have an EUA.”⁵

More than 8,500 service members were later separated for refusing the product.

Secretary Hegseth has said the prior administration “issued unlawful orders on mandatory vaccines on an experimental vaccine, COVID-19.” On May 7, 2025, the Under Secretary for Personnel and Readiness wrote that the mandate “was unlawful as implemented.” *Adirim’s memorandum was that implementation.*

In deposition, Dr. Adirim called the EUA and licensed products “the same exact vaccine,” while simultaneously acknowledging the FDA description of them as “legally distinct.”⁶ She used an FDA fact sheet—not a statute, not a presidential waiver, and not a legal opinion—to justify the September 14 guidance. Asked whether she was qualified to determine whether the vaccine was safe for the force, she said: “I was qualified to trust the agency, the regulatory agency, that told the nation that it was safe and effective....”⁷

Trust in a sister agency is not compliance with Title 10. A fact sheet is not a statute.

“Service members were told they were receiving a licensed vaccine but instead were given EUA vials. For those who legally refused the shot, careers ended. Secretary Hegseth has stated that the vaccine mandate was ‘unlawful as implemented.’ Adirim’s memo was the implementation. An investigation into Adirim is overdue.” — Stephanie Weidle, Executive Director

“Constitution Day reminds every official that the Constitution and the laws of the land are not optional. Dr. Adirim should be offered an unlimited amount of accountability. Feds For Freedom will be watching.” — Kevin McAfee, President

About Feds For Freedom

Feds For Freedom is a 501(c)(3) nonprofit organization committed to preventing government overreach, safeguarding bodily autonomy, and holding bad actors in government accountable. Originally called Feds For Medical Freedom, Feds For Freedom has led legal challenges to defend the constitutional rights of hundreds of thousands of federal employees and contractors since its founding in 2021. www.fedsforfreedom.org

⁵ Doe #1–#14 v. Austin, 572 F. Supp. 3d 1224 (N.D. Fla. 2021) (no presidential waiver; without one, “the DOD cannot mandate vaccines that only have an EUA”).

⁶ FDA Cominaty Q&A / EUA reissuance letters; Decl. of Peter Marks, M.D., Ph.D. (products “are legally distinct”).

⁷ Deposition of Terry Adirim, M.D. (Aug. 2026), Adirim v. CIA, No. 1:25-cv-00768 (E.D. Va.). <https://www.fedsforfreedom.org/adirim>