

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA**

**NAVY SEAL #1, et al.**

Plaintiffs,

v.

**JOSEPH R. BIDEN**, in his official capacity as  
President of the United States, *et al.*

Defendants.

Case No. 8:21-cv-02429-SDM-TGW

**DECLARATION OF MARK R. REID**

I, Mark R. Reid, hereby state and declare as follows:

1. I am a Colonel in the United States Marine Corps, currently serving as the Deputy Director, Operations Division, Plans, Policy and Operations, Headquarters Marine Corps, located in Washington, D.C. I make this declaration in my official capacity, based upon my personal knowledge and upon information that has been provided to me in the course of my official duties.

2. I have been assigned to my current position since August 2021. Prior to my current assignment, I served as Commanding Officer, Headquarters and Service Battalion, U.S. Marine Corps Forces Command from June 2019 to June 2021. My Marine Corps career began in 1996 upon my commission as a Second Lieutenant on 15 June 1996 graduating from Union College. Throughout my career, I served in a variety of command and staff billets in the operating forces and supporting establishment. As part of my current duties, I support the Director, Operations Division in his responsibilities to develop, coordinate, and advocate for

policies and programs in support of the Ground Combat Element, Air and Naval Gunfire Liaison Companies, Marine Expeditionary Units, Special Purpose Marine Air Ground Task Forces, Marine Special Operations Forces, Small Unmanned Aerial Systems, global equipment repositioning, amphibious operations, and readiness to ensure the Marine Corps meets statutory Title X responsibilities. Additionally, the Director monitors and reports the current status of Marine Corps forces in support of ongoing operations and identifies forces to support combatant commander requirements and coordinates Marine Corps actions to deploy, employ, and reconstitute forces.

3. Exhibit A, which is attached to this declaration, contains vaccination data for the United States Marine Corps.

(a) Number of personnel vaccinated. As of November 9, 2021, 89.4% of active duty personnel are fully vaccinated and 61.4% of Reserve<sup>1</sup> personnel are fully vaccinated.<sup>2</sup>

(b) Number of religious accommodation requests. As of November 8, 2021, Marine Corps personnel have submitted 2,266 religious accommodation requests seeking to be administratively exempted from the COVID-19 vaccination. No requests have been granted. There are 256 appeals of denials of religious accommodation requests pending. One appeal has been adjudicated and was denied. Members with pending accommodation requests or appeals are not subject to adverse administrative action or the imposition of disciplinary action while those requests are pending.<sup>3</sup>

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<sup>1</sup> For purposes of required vaccination, Reserve personnel consists of Active Reserve, Selected Marine Corps Reserve, and Individual Mobilization Augmentee. MARADMIN 362/21 ¶ 3.a.

<sup>2</sup> “Service members are considered fully vaccinated two weeks after completing the second dose of a two-dose COVID-19 vaccine or two weeks after receiving a single dose of a one-dose COVID-19 vaccine.” *Id.* at ¶ 3.b.

<sup>3</sup> “A Marine is not considered to have “refused the vaccine” until final adjudication of any administrative or medical exemption, religious accommodation, or pending appeal.” MARADMIN 612/21 ¶ 3.

(c) Number of religious accommodation requests from any vaccination since 2016. For context on the unprecedented increase in the number of religious accommodation requests, the United States Marine Corps received 16 religious accommodation requests for exemption from any required vaccination since 2016. None of those requests was granted.

(d) Number of unvaccinated personnel who have not submitted an exemption request. There are 6,884 active duty personnel and 7,727 Reserve personnel who have not sought a medical or administrative exemption.

(e) Number of personnel with resolved exemptions.<sup>4</sup> One religious accommodation appeal has been adjudicated and was denied. There are 11 active duty personnel and 3 Reserve personnel who have received a permanent medical exemption.

(f) Administrative separations and disciplinary actions. At this time, no Marine Corps personnel have been processed for administrative separations, actually separated, or been subject to the imposition of discipline at nonjudicial punishment proceedings or courts-martial. In order to be fully vaccinated by the November 28, 2021 deadline for active duty and December 28, 2021 deadline for Reserve personnel, active duty personnel have until November 14, 2021 (December 14, 2021 for Reserve personnel) to receive the second dose of the FDA-approved vaccine or can voluntarily chose to take any Food and Drug Administration Emergency Use Authorization or World Health Organization Emergency Use Listing, which includes vaccines administered in single doses. Marine Corps personnel are provided access to licensed Department of Defense healthcare providers, who will answer members' medical questions concerning the vaccine. Members will be afforded every opportunity to elect to be vaccinated

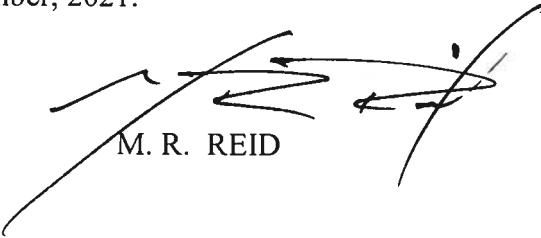
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<sup>4</sup> There are 807 personnel who have received an initial denial response on their initial accommodation request as of November 8, 2021. These personnel have not submitted an appeal as of November 8, 2021. Marines have 10 business days from notification of the initial denial to submit an appeal. MCO 1730.9 ¶ 4.c.(1). Requests for additional time to submit an appeal are not explicitly precluded.

before the imposition of administrative separation proceedings or disciplinary proceedings.<sup>5</sup>

Service-wide numbers of legal and administrative actions are due November 30, 2021 for active duty and December 29, 2021 for Reserve personnel.<sup>6</sup>

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of November, 2021.



M. R. REID

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<sup>5</sup> “Service members may at any time, choose to receive a COVID-19 vaccination despite their previous decision to seek an exemption or religious accommodation, or despite their previous refusal to receive the COVID-19 vaccination. Service members should notify their command immediately if they choose to be vaccinated for COVID-19 after an exemption has been sought, or an administrative or legal process has been initiated.” MARADMIN 533/21 ¶ 3.c.

<sup>6</sup> “Provide the Marine Corps COVID-19 Cell by-name rosters of all Marines pending legal/administrative action for refusal to comply with [MARADMIN] 462/21 no later than 30 November 2021 for active component and 29 December 2021 for Reserve component.” MARADMIN 612/21 ¶ 7.b.

## Exhibit A to Reid Declaration

Number of requests for a religious exemption from injection of a COVID-19 vaccine as of November 8, 2021:

Total Requests	Requests Pending		Requests Granted	Initial Requests Denied And Not Currently Subject to Appeal
	Initial Requests Under Review	Denied Requests Pending Appeal		
2,266	1,202	256	0	807 (and 1 appeal denied)

Religious Accommodation Requests from any Vaccination Requirement (excluding COVID-19) since 2016.<sup>1</sup>

Total Requests	Pending Requests	Granted Requests	Denied Requests
16	N/A	0	16

Service COVID-19 Vaccination Numbers as of November 9, 2021:

Component	Total # of Personnel	Vaccinated	Unvaccinated	Percent Vaccinated
Active	190,457	170,388	11,118 <sup>2</sup>	89.4
Reserve <sup>3</sup>	32,830	20,169	9,023 <sup>4</sup>	61.4

Number of Unvaccinated Personnel who have not submitted an Exemption Request<sup>5</sup> as of November 8, 2021:

Component	Number w/o Exemption Requests
Active	6,884
Reserve	7,727

Number of Personnel with Resolved Exemption Requests as of November 8, 2021:

Component	Number w/ Fully Adjudicated Requests
Active	1 religious accommodations/11 permanent medical exemptions
Reserve	0 religious accommodations/3 permanent medical exemptions

<sup>1</sup> These records are to the best of my knowledge. There may have been additional requests submitted.

<sup>2</sup> This does not include approximately 8,951 partially vaccinated active duty.

<sup>3</sup> For purposes of required vaccination, Reserve personnel consists of Active Reserve, Selected Marine Corps Reserve, and Individual Mobilization Augmentee. MARADMIN 362/21¶ 3.a. At this time, the Marine Corps is not tracking Individual Mobilization Augmentee.

<sup>4</sup> This does not include approximately 3,638 partially vaccinated Reserve personnel.

<sup>5</sup> Exemption requests would include other types of exemptions, including medical exemptions.

Number of Personnel Subject to Adverse Administrative or Disciplinary Action after resolution of their request as of November 8, 2021:<sup>6</sup>

	Disciplinary Action		Administrative Separation <sup>7</sup>	
	Court-Martial	Non-Judicial Punishment	Administrative Separation Initiated	Administrative Separation Completed
Active	**	**	**	**
Reserve	**	**	**	**

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<sup>6</sup> Adverse action is only taken if a member refused to comply with the vaccination requirement after his or her request was disapproved by the approval authority and, if appealed, by the appeal authority.

<sup>7</sup> This information will not be available for the Marine Corps before November 30, 2021. "Provide the Marine Corps COVID-19 Cell by-name rosters of all Marines pending legal/administrative action for refusal to comply with [MARADMIN] 462/21 no later than 30 November 2021 for active component and 29 December 2021 for Reserve component." MARADMIN 612/21 ¶ 7.b.