UNITED STATES MARINE CORPS

[redacted]

5800
JPH
22 Jun 22

From: Captain Joshua P. Hoppe USMC [redacted]
To: Commanding Officer, [redacted]

Subj: RESPONSE TO OFFER TO RECEIVE COMIRNATY MADE ON 15 JUNE 2022

Encl: (1) Offer to Receive Comirnaty dtd 15 Jun 22

1. I do not consent to this form or give it freely. This is yet another coercive ploy by the DOD legal team to unlawfully enforce this mandate. I do not doubt my CO's intentions who told us on 15 June 22 that he simply wanted to inform us there was now a Comirnaty-labeled product available. This form however, is the definition of coercion and essentially states "freely sign this by 1600 or else…"

2. If this is necessary (due to there not being any FDA-approved products available until now - which I have documented thoroughly the lack of any FDA-approved products previously), then this is admission by the DOD that any and all action taken to enforce this mandate has been unlawful.

3. Now that we actually appear to have an "FDA-approved" product in stock, I am requesting a ceasing of any further action against service members until this unlawful enforcement can be fully investigated by Congress and all previous unlawful enforcement actions be rectified.

4. I have engaged with the [redacted] Medical Clinic Staff, Pfizer, the Food and Drug Administration (FDA) Center for Biologics Evaluation and Research (CBER), and the Department of Health Agency (DHA) with requests for information (RFIs) to confirm if this is "Comirnaty-labeled" product is the "FDA-Approved" product in accordance with the BLA-Approval letter dated 23 Aug 21 and revised on 16 Dec 21. The majority of my requests have received non-answers or been told that they could not answer, would not answer, or to submit the RFIs via a FOIA request. To confirm that this is the FDA-approved product as described in the BLA-Approval/Revision letters should not be a difficult task to do or require a FOIA request. Please see the listed below RFIs and forward on to the highest level needed to obtain these answers.

a. A copy of the Notification of lot release from the Director, Center for Biologics Evaluation and Research (CBER) required by the Approval letter.

b. Proof of the location and date of manufacture of this Lot number and NDCs.

c. How many and which lots were released?

d. A copy of the list of differences from what is currently in large circulation (EUA Pfizer-BioNTech) and the Comirnaty products.

e. If this is the FDA-approved version, when will all the EUA in circulation be required to be pulled from the shelves?

f. A copy of the Vaccine Information Statement (VIS) for this Comirnaty product that should replace the EUA Fact sheets once there is an FDA-approved product available.

g. Photos of the vials of Comirnaty (just wanting to verify the labeling on the actual vials as well with the License #, NDC, Lot, and expiry info).

h. Photos of the packaging and storage instructions (should be the insert in the boxes - just wanting to verify if there is any other amplifying information on this product about EUA vs Approval).

i. A copy of the EUA Fact sheets or Approved Vaccine Information Sheets that came with the shipment of the "Comirnaty-labeled" product.

j. Current Storage Temperature? Was there an internal alarm going off when the package arrived from shipping? (There have been reports at other facilities that the internal alarm was going off upon arrival indicating that the vials were not shipped appropriately - just wanting to verify if there were any peculiarities from this shipment as well).

5. I have submitted a FOIA request for items a-f from the DHA. The remainder (g-j) are outstanding RFIs from the [redacted] Clinic that they have refused to answer. I am now also requesting a ceasing of any further action against any service member until these RFIs can be addressed and answered appropriately. The FOIA request from the DHA averages 36-252 days according to the FOIA.gov site I requested it through.

6. As a patient, I have the right to the information that has been requested and it is not the type of information that FOIA is intended for. FOIA is not to be a shelter from medical to give you the information required as a patient (i.e. FOIA should not be used as a tool to withhold information I am entitled to as a patient in the process of my own treatment). These simple requests should be able to be answered simply without the need for a FOIA request if there is nothing to hide. Please pass along and let me know if you are successful at getting answers to these pertinent medical questions.

7. The point of contact for this matter is Captain Joshua P. Hoppe who can be reached at commercial: [redacted] or email: [redacted]@usmc.mil.

J. P. HOPPE

UNITED STATES MARINE CORPS
[redacted]

5800
JPH
15 ~~14~~ Jun 22

From: Captain Joshua P. Hoppe [redacted] USMC
To: Commanding Officer, [redacted]

Subj: OFFER TO RECEIVE THE FDA-APPROVED PFIZER COMIRNATY COVID-19 VACCINE

1. I, Captain Joshua P. Hoppe, have been afforded the opportunity to receive the FDA-approved Pfizer Comirnaty COVID-19 vaccine.

2. I make the following election freely and voluntarily:

_____ I accept the offer to receive the Pfizer Comirnaty COVID-19 vaccine.

_____ I refuse the offer to receive the Pfizer Comirnaty COVID-19 vaccine.

3. If accepting the offer to receive the Comirnaty COVID-19 vaccine, I understand that my Command will afford me adequate time away from my daily duties to receive the vaccine.

4. If accepting the offer to receive the Comirnaty COVID-19 vaccine, I further understand that I will receive the vaccine within a reasonable time period not to exceed 30 days.

5. My refusal to make an election indicates a refusal to receive the Pfizer Comirnaty COVID-19 vaccine.

_____ _____
Joshua P. Hoppe (date)

_____ _____
(witness signature) (date)

Enclosure (1)