

**EXHIBIT G**

**ALVARADO, et al., v. AUSTIN, et al.**

**Declaration of**

**Army Chaplain (LTC) Michael Hart**

**IN THE MATTER OF THE VACCINE MANDATE CHALLENGE**

**DECLARATION OF CHAPLAIN (LT. COL.) MICHAEL J. HART, U.S. ARMY**

Pursuant to 28 U.S.C. §1746, I, **MICHAEL JOSEPH HART**, declare as follows:

1. My name is **MICHAEL JOSEPH HART**. I am over 18 years of age and have personal knowledge of and am competent to testify on the matters stated herein.
2. I make this declaration in support of my challenge to the Department of Defense and Department of **the Army** mandates requiring that I be vaccinated against COVID-19. All statements made in this Declaration are true to the best of my own personal knowledge.
3. I currently reside at **2900 ZEPHYR ROAD APT 1039, KILLEEN, TEXAS 76543**. My home of record upon entry into active duty is **VIRGINIA**, however I am a legal resident of **TEXAS** and domiciled in **KILLEEN, BELL COUNTY, TEXAS** where I maintain my voter registration and vehicle registration.
4. I am an active duty chaplain in the United States **Army** serving at the rank of **Lieutenant Colonel**. I am currently assigned to the **Headquarters, U.S. Army Garrison Fort Hood Religious Support Office, 320 Tank Destroyer Blvd., Fort Hood TX 76544**.
5. I began my military service on **2 JULY 2002** when I was commissioned a **First Lieutenant** into the **U.S. Army Reserve** during the administrative accessioning process and while awaiting the accessioning board's decision and subsequent active duty orders. I reported for active duty on **7 JANUARY 2003** to the **Chaplain Officer Basic Course, U.S. Army Chaplain Center and School at Fort Jackson, SC**. I had no prior military service. I was commissioned on **2 JULY 2002** and entered active duty on **7 JANUARY 2003**.
6. My promotions were as follows: **July 17, 2003 (to Captain)**; **May 7, 2011 (to Major)**; **November 4, 2018 (to Lieutenant Colonel)**. I have approximately **19 years, 4 months** years of

service as of May 30, 2022. **Although I am within the “sanctuary” period I do not wish to retire.**

7 During my military career, I have had the following deployments to either combat zones or foreign areas: **Iraq 01/2005-01/2006; Afghanistan 05/2007-07/2008; Jordan 05-06/2015.**

8. I have received the following: **Bronze Star medal, Meritorious Service Medal (3), Army Commendation Medal (4), Army Achievement Medal (2), Meritorious Unit Citation (2), National Defense Service Medal, Afghanistan Campaign Medal with Campaign Star, Iraq Campaign Medal with 2 Campaign Stars, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon (with numeral 3), NATO Medal, Combat Action Badge, and Parachutist’s Badge. I have been inducted into the Honorable Order of Titus (exclusive to Chaplains and Religious Affairs NCOs who have fulfilled an Observer Coach/Trainer assignment). I was selected for the Advanced Civilian Schooling program during which I received a Master’s Degree in Counseling from Columbus State University and was awarded the Additional Skill Identifier 7K (Marriage and Family Specialist) during my military career.**

9. I submitted my Religious Accommodation Request (RAR) at **Exhibit I** asking to be excused from the **Army’s** COVID-19 vaccine mandate based on my sincerely held religious beliefs. A summary of those reasons follows: **All of the available Covid-19 vaccines used aborted fetal cell lines at one or more phases of the development, validation, and production process. I am opposed to abortion in any circumstance and the mandate essentially requires me to violate my sincerely held religious conviction or else be involuntarily separated from service. After submission of the RAR (September 13, 2021) I contracted Covid-19 (tested positive on May 10, 2022), though that was not part of the original RAR. I received a temporary medical exemption based upon a recommendation**

from a civilian provider who expressed concerns about the negative cardiac events increasingly associated with the vaccines. This temporary medical exemption was input by my unit's medical officer on February 25, 2022 and expires February 24, 2023.

10. My RAR was submitted through my chain of command on September 13, 2021 and is still pending; I have not yet received an initial reply.

11. I am not philosophically opposed to vaccines in general, though I question the necessity and safety of those in use. I have recently taken other vaccines that are produced in a morally acceptable manner (i.e., they do not use aborted fetal cell lines), such as the influenza vaccine and the Tdap. In the case of the Tdap, I could not confirm that the brand name offered by the Military Treatment Facility to which I was assigned was in fact free of fetal cell lines in its development. Therefore, I went off-post to a civilian pharmacy and took the brand that I was able to confirm did not use fetal cell lines.

In my Religious Accommodation Request I did not address concerns other than the use of fetal cell lines used in the available Covid-19 vaccines. However, I object to the mandated use of a product that was rushed to market and mass distribution in a fraction of the time that vaccines typically take. I object to the mandated use of a product for which there are numerous vaccine injury reports contained in the Vaccine Adverse Event Reporting System (VAERS), including over 28,000 reported deaths associated with the Covid vaccines. I object to the mRNA technology that was not sufficiently tested on humans, and has now been shown to reverse transcribe DNA and essentially alter our genetic make-up, contrary to the promises and assurances made by advocates of the vaccine. I object to the fact that the actual FDA-licensed product is not even available to military personnel and that the EUA product is being passed off as interchangeable, which leads people to assume it's the same thing. I and others are facing discipline and

**involuntary separation for refusing a vaccine that is not even available. I object to the *de facto* religion that has grown up around the Covid response, of which vaccines have become the eucharist, and disbelief or apostasy from which earns public scorn, threatened livelihood, and social/professional ostracism. I object to the Covid vaccines because they are quite simply ineffective and do not prevent infection, transmission, and re-infection. The vaccines do not do what vaccines have historically done, namely prevent infection. Thus the CDC had to change the definition of “vaccine.”**

**12. In September/October 2021 the Army Chief of Chaplains and the FORSCOM Command Chaplain issued guidance to Chaplains in anticipation of the volume of Religious Accommodation requests that would soon begin to work through the system. In this guidance, multiple religious entities and ethical think-tanks were provided, along with links to articles justifying the use of the Covid vaccines despite their link to abortion. Nowhere in this guidance were any references to resources with opposing views offered or made available. The entire tone of the memorandum was “there’s no need to request an exemption.” However, in the same memorandum, Chaplains were admonished to refrain from influencing our Soldiers one way or the other as they wrestle with their ethical and moral dilemma. By providing only pro-vaccine resources, the Chief of Chaplains and FORSCOM Chaplain were doing the very thing they warned junior Chaplains not to do: to influence Soldiers (in this case, Chaplains) in their moral and ethical struggle.**

**Upon receiving this guidance in an email from the III Corps Chaplain to all UMTs on Fort Hood, I replied to the III Corps Chaplain and expressed the above concerns. I received no reply or acknowledgement. On 23 OCTOBER 2021 I had a face to face conversation with the FORSCOM Chaplain and expressed the same concerns. He replied that “the vaccine mandate is all political, but it’s what we must do” (paraphrase).**

13. A widely circulated document (“Best Practices to Assist Soldiers Requesting Religious Accommodation Exemption for Immunizations – Sample Immunization Religious Accommodation Interview Questionnaire,” **Exhibit 2**), which I was asked to complete as part of my Chaplain interview for my own RAR, contained misleading, inappropriate and/or threatening questions (this document was available for download from the U.S. Army Chaplain Center and School website):

- *“Now that the vaccine is approved through the FDA, does this change your view of the vaccine? Why or why not?”* Misleading: The vaccine provided is NOT approved by the FDA.
- *Are you a part of a community holding similar views?* Inappropriate. Per AR 600-20 Paragraph 5-6, a sincerely held religious belief need not be a central tenet of any religion or system of belief. Whether or not the rest of one’s faith group or congregation has the same view is irrelevant.
- *Where and how often do you meet?* Threatening. I can think of no legitimate reason why the government needs to know where and when such a congregation meets. It is intimidating and implies the government wants to monitor religious expression.

14. Because I was unvaccinated I was not permitted to attend the annual Fort Hood Christmas Tree Lighting Ceremony on 3 DECEMBER 2021. Event promotions and guidance from the garrison chaplain’s office specifically dictated that “due to current COVID-19 mitigation procedures, all individuals 4 and older must be fully vaccinated...” **(Exhibit 3)**.

I was tasked as the project officer for the 2022 Fort Hood National Prayer Breakfast (executed on 4 MAY 2022), responsible for all planning, coordination, staffing, and execution. Due to Fort Hood’s Covid-19 mitigation protocol, I (as the individual in charge

of the event) was not permitted to attend the event itself because I was not vaccinated, which directly contradicted the guidance in HQDA EXORD 225-21 that made allowances for those with pending accommodation requests to attend indoor events.

15. The following retaliatory, career damaging, negative, punitive or administrative actions have been taken against me for refusing the alleged COVID vaccine and requesting a religious accommodation request: **I have been barred from official travel to attend trainings, meetings, etc. because only travel deemed Mission Critical by the Under Secretary of the Army will be approved for non-vaccinated personnel. I have been barred from PCS movement, which has created a family hardship by keeping me geographically separated from my family in Alaska. I was slated to PCS back to Alaska this summer but was removed from the PCS slate due to my non-vaccination. As a result the positions in Alaska have been filled and will not open for another two years; this has created unnecessary emotional duress on me and my family, who had been expecting me to PCS back to Alaska this summer. I was informed by my G-1 (Personnel) that once my RAR is denied I will be coded for separation regardless of the status of my appeal.**

**On 13 MAY 2022 I was removed from my assignment at 13<sup>th</sup> Expeditionary Sustainment Command (Fort Hood) and reassigned to U.S. Army Garrison Fort Hood because the 13<sup>th</sup> ESC was under a Prepare-To-Deploy-Order (PTDO). As I was deemed “non-deployable” due to my vaccination status I was reassigned to the Fort Hood Garrison Chaplain’s Office. This is career-damaging because it is not a broadening assignment: I have already served a rotation as a Garrison Chaplain (in Alaska), and now I am serving in a garrison again, but this time as a Deputy Garrison Chaplain. This might not be a demotion *per se*, but it is essentially a “putting out to pasture” of a qualified chaplain who has refused the vaccine.**

16. **An unqualified resignation at 19 years, 4 months is unthinkable. The financial impact on our family would be devastating as it would mean the loss of a monthly pension of approximately \$4,907 (one-half of monthly base pay for 20 years of service). An involuntary separation would have the same financial effect, but would also involve a less-than-Honorable Discharge, which could potentially have significant repercussions on my ability to find gainful employment in the future.**

I make this declaration under penalty of perjury, it is true and accurate to the best of my ability, and it represents the testimony I would give if called upon to testify in a court of law.

June 2, 2022



/s/

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**MICHAEL J HART**