

Congress of the United States

Washington, DC 20515

January 11, 2024

The Honorable Lloyd J. Austin III
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Austin:

First and foremost, we wish you a speedy recovery and are sorry to hear about your recent cancer diagnosis. We are glad to hear that you are now recuperating and have been moved out of the ICU.

However, we are gravely concerned about the lack of transparency from the Department of Defense (DOD) regarding your recent hospitalization, which included a four-day stint in the intensive care unit. According to reports, congressional leadership, the Deputy Defense Secretary, the President, the National Security Advisor, and other members of the National Security Council were not informed about your hospitalization until three days after your hospital admission. Given your critical role in protecting our nation as Secretary of Defense, it is deeply concerning that you kept your extended hospital stay a secret from the President and other senior national security officials.

At a time when the United States is actively engaged in multiple international conflicts and our military faces unprecedented threats from foreign state and non-state actors, it is vital that all elements of our nation's national security infrastructure have clear communication. While thankfully there were no major consequences resulting from this deliberate lack of transparency, this may not have been the case. Since top government national security officials were unaware that you were unable to discharge the duties of your office, there may have been delays in responding to national security emergencies. This secrecy is also in stark contrast to how cabinet secretaries have handled medical procedures in the past, such as when Attorney General Merrick Garland released a thorough statement on June 30, 2022 for a simple hour-long procedure.

Given our concerns, and the peculiarity of the situation, we request answers to the following questions:

- 1) Reports have stated that the President, National Security Council, including the National Security Advisor, and the Deputy Defense Secretary were not informed about your hospital stay until after three days. Are these reports accurate, and if not, when were these individuals and the National Security Council informed of your hospitalization?
- 2) Given that Deputy Defense Secretary Kathleen Hicks was not immediately notified, what individuals within the Department of Defense, if any, were aware of your hospitalization prior to Thursday, January 4? Why were these individuals notified, but Deputy Secretary Hicks was not?
- 3) You said in a statement on Saturday that you "take full responsibility for my decisions about disclosure." Does that mean that it was your decision, and your decision alone, to not notify the President, Congress, and top national security officials? If not, what other individual(s) took part in that decision?
- 4) Is it common DOD policy to hide extended hospital stays from the President, National Security Council, and Congress? If not, what is DOD's policy regarding notification for similar hospitalizations for top

DOD officials?

- 5) You said in a statement on Saturday that you “recognize I could have done a better job ensuring the public was appropriately informed. I commit to doing better.” What tangible steps are you taking to improve transparency and are any new DOD policies being created as a result?
- 6) During your hospitalization, the United States launched a critical strike against the leader of Harakat al Nujaba, an Iranian-backed militia. Were you involved in the decision-making process to proceed with this strike? Was Deputy Secretary Hicks? Were the President, National Security Council, and Deputy Defense Secretary informed of your hospitalization prior to or after the decision was made to conduct this strike?
- 7) What would be your reaction if one of your combatant commanders was unable to discharge the duties of their office for three or four days and you were not informed? Would this be acceptable under existing DOD policy?

We appreciate your timely response to these important questions by January 29, 2024. It is vital Congress and the American people fully know what transpired during this unfortunate event so it is never repeated.

Sincerely,



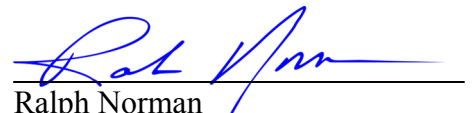
Claudia Tenney
Member of Congress



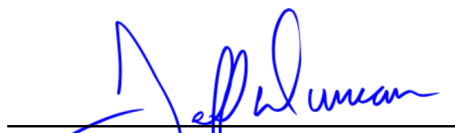
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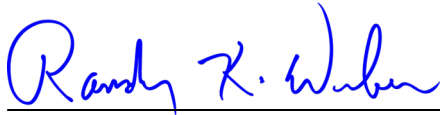
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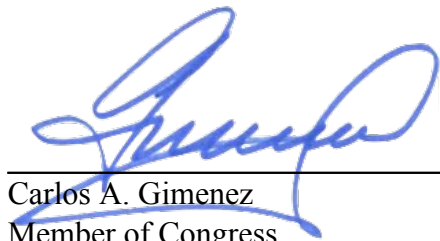
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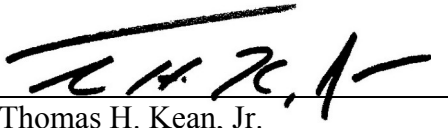
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