UNDER SECRETARY OF DEFENSE
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PERSONNEL AND
READINESS

January 7, 2004

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL, DEPARTMENT OF DEFENSE
DIRECTORS OF DEFENSE AGENCIES
COMMANDANT OF THE U.S. COAST GUARD

SUBJECT: Anthrax Vaccine Immunization Program Resumption

On December 23, 2003, I conveyed the Deputy Secretary's decision that DoD will stop giving anthrax vaccinations until clarification of legal issues raised by a preliminary injunction of December 22, 2003, by the United States District Court for the District of Columbia against the current operation of the Anthrax Vaccine Immunization Program (AVIP). Although the litigation has not been finally resolved, today the Court issued a stay of that preliminary injunction. The Department of Defense remains convinced that the AVIP complies with all legal requirements, and there is now no judicial restraint on AVIP implementation. Therefore, you should immediately resume the anthrax vaccination program.

David S. C. Chu

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