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United States Senate

WASHINGTON, DC 20510-1401

June 24, 2002

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Rumsfeld:

I have noted recent developments in the Department of Defense's anthrax vaccine policy. Reports suggest that you have signed off on a plan to set aside your predecessor's policy to vaccinate the entire force in favor of a plan that will only vaccinate those who are at risk for exposure. As you finalize details of the new plan, I ask you to review carefully the effects that the old program had on the uniformed military who refused to submit to the shot series and left the military.

In October 2001, my staff and I were inconvenienced for over three months by contamination resulting from the famed "Daschle letter," which contained a highly virile strain of anthrax. We all gained new understanding about the effectiveness of anthrax vaccines as well as the great degree of variance in susceptibility of individuals to anthrax spores. We also came to the realization that what we knew previously about anthrax was limited and that supposed protections against exposure may not have had any effect in this instance.

More recently, I read a book by Lieutenant Colonel Thomas S. Heemstra, entitled *Anthrax, a Deadly Shot in the Dark*, which was given to me by Captain Matt Wingham, a constituent who refused to take the shots and was subsequently discharged from the Indianapolis Air National Guard. LCOL Heemstra writes eloquently of the plight of those who believed that the anthrax vaccine was not effective and was not safe, and perhaps more so, felt that the government they served was not dealing honestly with them. I recommend it to you.

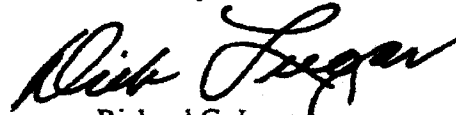
The old policy was promoted as a lawful order and used the Uniform Code of Military Justice to bring members into compliance, but neither the policy or the UCMJ were implemented uniformly across or within the services. For example, in the Indiana Air National Guard, 16 pilots (nearly half the squadron) were dismissed or resigned from a single squadron and no longer serve. LCOL Heemstra notes the glaring disparity between those actions and the lengthy informed consent procedures used when postal workers and Senate staff were offered the same vaccine last year.

As you review the actions of the past Administration and the institutional military that carried out the orders involving the anthrax vaccine, and as you lay out the road ahead seeking best protections of our troops against this deadly substance, I urge you to carefully consider the individuals who were victims of a policy that at can easily be called flawed, particularly Captain

Wingham and the other pilots of the 163rd Fighter Squadron from Fort Wayne, Indiana. And, I hope you will find it appropriate to extend to them invitations to return to military service.

Thank you for your attention to these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Lugar". The signature is written in a cursive, flowing style.

Richard G. Lugar
United States Senator

RGL/pgp
Cc: Capt. Wingham