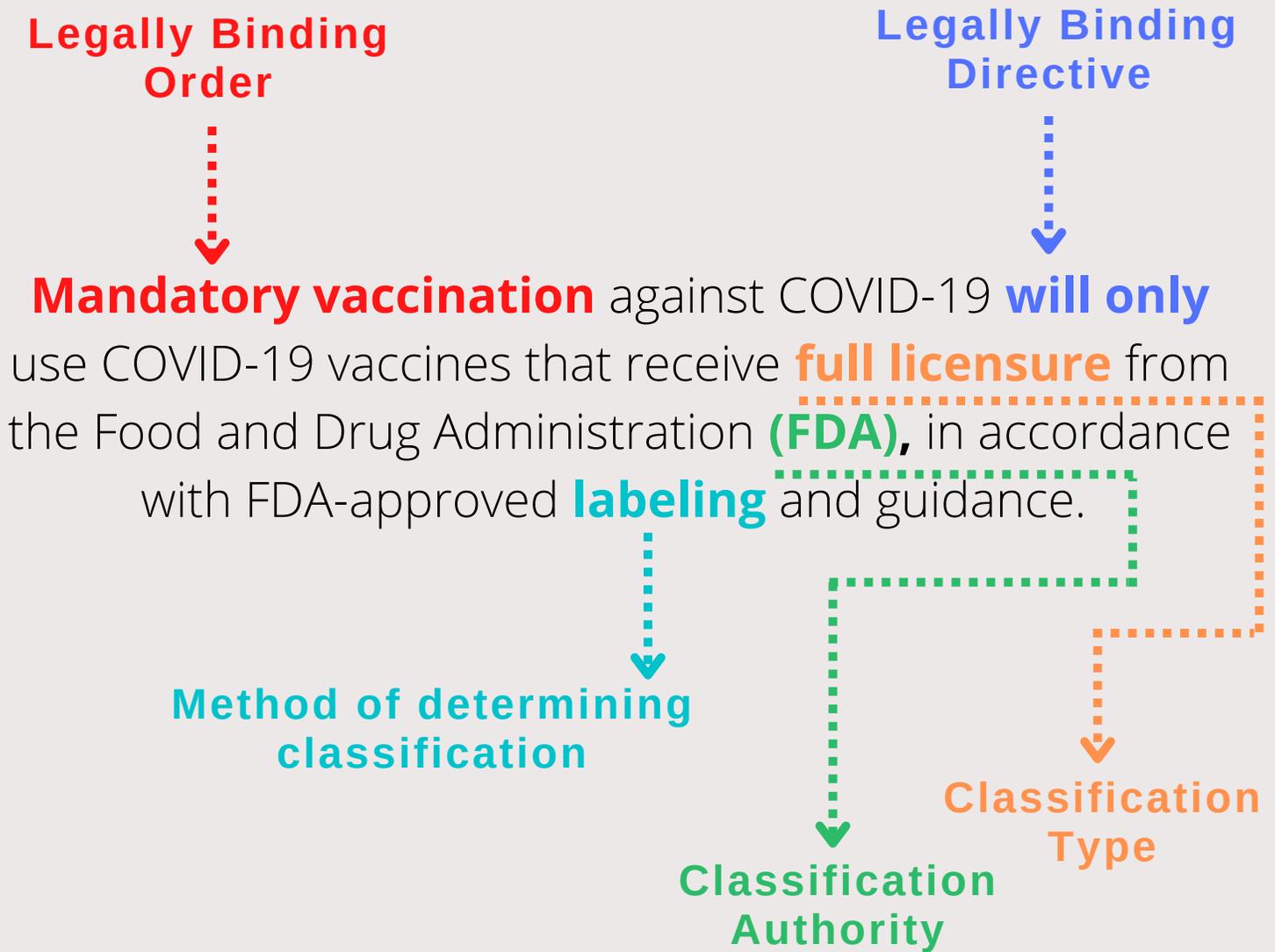
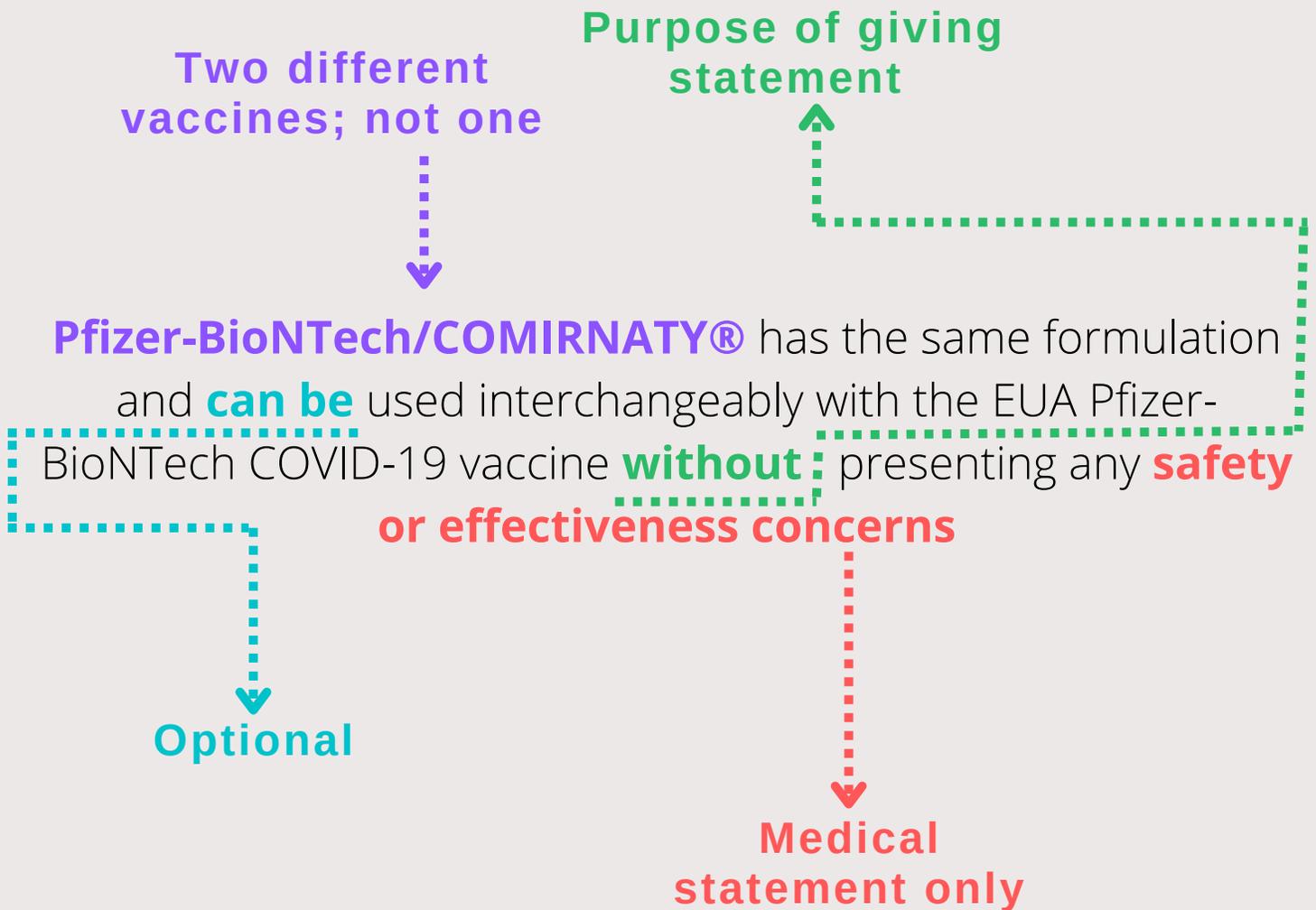


SECDEF Vaccine Order



Senior Pentagon Leadership directives always use the phrase "mandatory vaccination" when discussing full licensure drugs. However, they never use the term anytime they reference an EUA substance.

DoD Interchangeable Orders



Pfizer clarified the meaning of interchangeability by stating, "The FDA-approved COMIRNATY® (COVID-19 Vaccine, mRNA) and the EUA-authorized Pfizer-BioNTech COVID-19 Vaccine have the same formulation and can be used interchangeably to provide the COVID-19 vaccination series. **An individual may be offered either** COMIRNATY® (COVID-19 Vaccine, mRNA) or the Pfizer-BioNTech COVID-19 Vaccine **to prevent** coronavirus disease 2019 (COVID-19) caused by SARS-CoV-2." We see that interchangeable means that either vaccine will work for the same purpose. However, that is not the same as saying one may legally substitute an experimental product as if it is a full licensure drug. Such activities are illegal and criminal.

DoD Orders to Health Care Providers

Health care providers only
(All previous orders included the words "Health care providers")



Purpose of the statement



Providers will use Pfizer-BioNTech COVID-19 vaccine and the Pfizer-BioNTech/COMIRNATY® COVID-19 vaccine **interchangeably** for the purpose of vaccinating Service members to meet **DoD COVID-19 vaccination requirements**.



SECDEF Austin provided two paths for compliance, one of which is mandatory and one is voluntary. This instruction is to inform the health care provider that they will use both drugs to fulfill those orders, but nowhere does it imply that the health care provider will determine which of the two vaccines will be administered. That choice belongs to the service member by an act of Congress (1107a USC 10). Lastly, the phrase "COVID-19 vaccination requirement" is always used when Pentagon leadership includes EUA products. DoD COVID-19 vaccination requirements include both mandatory and voluntary options. Therefore, they may not be referred to as "mandatory" in their instructions.

HIERARCHY

**Under Secretary of Defense
(Personnel & Readiness)
LEAD AUTHORITY**

**Assistant Secretary of Defense
for Health Affairs (ASDHA)
MUST AUTHORIZE USE OF EUA PRODUCTS**

**Secretary of Army
LEAD COMPONENT OF EUA
IMPLEMENTATION**

**Surgeon General of Army
& HSRRB
ACT AS THE INSTITUTIONAL
REVIEW BOARD (IRB) FOR
EUA PRODUCTS**

**Heads of DoD Components
IMPLEMENT PRODUCTS WITHIN THEIR
OPERATIONAL STRUCTURE**

**ALL REQUIRED
to create medical protocols
for EUA products**

**DoDI
6200.02**

**DoDI
3216.02**

45CFR46

**Belmont
Report**

**HSRRB
Regs**

32CFR219