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National Research Council

August 15, 2003

The Honorable John Ashcroft, Attorney General
United States Department of Justice
Constitution Avenue and 10th Street
Washington, D.C. 20530

Dear Mr. Attorney General:

We are writing about the recent indictment and prosecution of professor Thomas C. Butler who is chief of the Division of Infectious Diseases at Texas Tech University School of Medicine. Dr. Butler, who has been generally well regarded and is a decorated Vietnam War veteran, is highly respected by his professional colleagues for his scientific work. He is a recognized authority on infectious diseases who has significantly contributed to our scientific understanding of the kinds of communicable diseases that are currently of particular concern for the prevention of bioterrorism, such as plague. The Centers for Disease Control and Prevention, the U.S. Army's Institute of Infectious Diseases, and the Food and Drug Administration have previously expressed interest in working with Dr. Butler in their anti-bioterrorism initiatives.

Although we are not in a position to make any claims about Dr. Butler's guilt or innocence, various members of the National Academy of Sciences and the Institute of Medicine have expressed concerns to us, which we share, about the potential impact of this prosecution on Dr. Butler personally, which is quite troubling, and about the potentially alarming effect on the infectious disease research community of which Dr. Butler is a part. We are particularly concerned about the impact that Dr. Butler's case may have on other scientists who may be discouraged from embarking upon or continuing crucial bioterrorism-related scientific research – thereby adversely affecting the nation's ability to fully utilize such research capabilities in preparing defenses against possible bioterrorist attacks.

As this case moves forward, we would urge that the above concerns be taken into account in the handling of this case, as the Department seeks a resolution of this matter that serves both the needs and ends of justice and the protection of the public.

Very truly yours,

Bruce Alberts
President
National Academy of Sciences

Harvey V. Fineberg
President
Institute of Medicine

Cc: President Roy Wilson, M.D.
Texas Tech University Health Sciences Center