

**BOSTON UNIVERSITY  
AND  
THE NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES  
MISLEAD AGAIN**

**They falsely claim that the members of the External Scientific Advisory Committee for Boston University's proposed BSL4 Bioterrorism Laboratory are independent.**

In January 2005, the Boston Globe reported that three researchers had accidentally been infected with tularemia (a bioterrorism agent) in a Boston University (BU) research laboratory in 2004, that two of the three had been hospitalized, and that it took BU months to identify and report the infections to public health officials. In response, Congressman Michael Capuano<sup>1</sup> wrote to Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases (NIAID), requesting that BU create an advisory board of scientists "verifiably independent" of BU to oversee safety and research at its controversial proposed BSL4 bioterrorism research laboratory.<sup>2</sup> In a March 9, 2005, letter to Congressman Capuano, Dr. Fauci replied that BU had plans for an External Scientific Advisory Committee for its BSL4 laboratory and that the Committee members "are all independent of Boston University." In a March 11, 2005, press release, Congressman Capuano announced that a committee of scientists, independent of BU, was being established to advise and oversee safety at the BU BSL4 bioterrorism lab.

**Not one of the persons on the External Scientific Advisory Committee is independent of BU.**

Contrary to Congressman Capuano's request and press release and Dr. Fauci's statement, every member of the BU's External Scientific Advisory Committee has ties to BU. Many have a self-interest in BU's lab. Some stand to have the laboratories they operate reap financial gains from BU's laboratory. Some intend to perform research in BU's lab, research that BU would need to approve. Some have a cozy arrangement where they are on BU's advisory committee and BU is on their advisory committee. One intends to establish his own laboratory within BU's laboratory. Not one is "independent of Boston University."<sup>3</sup>

The eight-member Advisory Committee includes:

- Two persons with financial interests in BU's bioterrorism lab. BU has promised millions of dollars to them for the facilities they direct. (Ambrosino and Desrosiers)
- Two persons whose research BU identified, in its application to the National Institute of Allergy and Infectious Diseases (NIAID) for federal funds to construct the laboratory, as research programs/projects that will benefit from the laboratory. (Mekalanos and Telford)
- Five persons who intend to perform research in the BU laboratory. (Hayes, Kasper, Levine, Mekalanos, and Telford)
- One person whose research center will establish its own laboratories within BU's laboratory. (Kasper)

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<sup>1</sup> The proposed laboratory would be in Congressman Capuano's congressional district in the South End neighborhood of Boston.

<sup>2</sup> NIAID is funding 2/3, approximately \$127million, of the cost of constructing the BU BSL4 bioterrorism lab. In exchange, the primary mission of the lab will be NIAID's bioterrorism research agenda for the first twenty years the lab is in operation.

<sup>3</sup> All information herein is taken from BU's application for NIAID funding to construct its laboratory, NIAID's request for proposals for laboratory construction funding, documents provided by NIAID under a Freedom of Information Act request, the Boston Public Health Commission website, and correspondence between Dr. Anthony Fauci and Congressman Michael Capuano.

- Three persons whose own research centers are funded with the same federal bioterrorism funds that will fund the BU laboratory. (Haynes, Kasper, and Levine)
- Two persons whose labs/programs and BU’s lab will have oversight/advisory roles for each other. (Haynes and Kasper)
- One person whose own lab will have a joint committee with the BU lab to further their collaboration. (Ambrosino)
- One person who is a visiting physician at a BU medical facility and whose board of directors has an overlapping membership and overlapping interests with BU. (Barry)
- Five persons whose biographical sketch BU included in its application to the National Institute of Allergy and Infectious Diseases (NIAID) for federal funds to construct the laboratory. (Ambrosino, Barry, Kasper, Levine, and Mekalanos)
- In addition:
  - o Every member of the Advisory Committee is listed in BU’s application to the National Institute of Allergy and Infectious Diseases (NIAID) for federal funds to construct the laboratory as co-investigator/key personnel for the lab.
  - o Every member of the Advisory Committee wrote a letter supporting BU’s application for federal funding for the lab. BU included those letters in its application to NIAID for funds to construct the lab as a letter from a “collaborator.”

The charts on the next pages show how each Committee member is connected to BU and its proposed BSL4 bioterrorism laboratory.

<b>COMMITTEE MEMBER</b>	<b>CONNECTIONS TO BU AND ITS PROPOSED BSL4 LAB</b>
Donna Ambrosino	<ul style="list-style-type: none"> <li>• She directs the Massachusetts Biological Laboratories. BU has committed to provide \$1 million to her laboratory for offsite production of products that the BU lab would use.</li> <li>• BU has established a relationship with her lab and has reported to NIAID that her lab is eager to collaborate with the BU lab.</li> <li>• BU’s application to NIAID for lab funding includes two letters from her in the section of letters from collaborators. In one letter she discusses the work her lab would do for BU’s lab and explains that a committee would be formed between her lab and BU’s lab to further their collaboration.</li> <li>• She is listed in BU’s application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> <li>• Her biographical sketch is included in BU’s application to NIAID for lab funding.</li> </ul>
Anita Barry	<ul style="list-style-type: none"> <li>• She is Assistant Visiting Physician, Boston Medical Center (BMC), a BU facility.</li> <li>• She is a member of the Boston University Preventive Residency Advisory Committee.</li> <li>• She is a senior staff member of the Boston Public Health Commission (BPHC). BPHC has an overlapping Board of Directors with BMC. The BPHC board of directors includes three persons connected to BU: the Chief Executive Officer (CEO) of Boston Medical Center (BMC); and two persons who are trustees, officers, or medical directors of health centers of BMC. The CEO of BMC is listed in BU’s application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> <li>• BU’s application to NIAID for lab funding, in the section of letters from collaborators, includes a letter that she co-signed on BPHC letterhead, offering support for the BU lab and in which she looks forward to participating in and supporting BU’s application.</li> <li>• Her biographical sketch is included in BU’s application to NIAID for lab funding.</li> </ul>

Ronald Desrosiers	<ul style="list-style-type: none"> <li>• He directs New England Regional Primate Research Center. BU has committed to provide \$3.1 million to his center for construction of a dedicated facility to provide non-human primates to BU's lab.</li> <li>• BU has established a relationship with his Primate Research Center.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he says that his lab will enthusiastically support BU's lab's activities and acknowledges that BU will pay his lab \$3.1 million to build a laboratory animal breeding facility.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> </ul>
Barton Haynes	<ul style="list-style-type: none"> <li>• He is Principal Investigator for the Region 4 Regional Center for Excellence (RCE), which receives federal funding under the same program as BU's lab.</li> <li>• He anticipates doing research in BU's lab.</li> <li>• BU's application to NIAID for lab funding states that BU has established a relationship with Region 4 RCE and he has indicated that the BU lab would meet his research needs.</li> <li>• His laboratory's external advisory board will include Dr. Mark Klempner, the principal investigator (director) of the BU lab.<sup>4</sup></li> <li>• He and Dr. Mark Klempner spent three years together as post-doctoral fellows at NIAID and have a close professional relationship.</li> <li>• He and Dr. Mark Klempner have exchanged mutual letters of collaboration between the Region 4 RCE and the BU lab.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he endorses BU's application for funding, and states that he anticipates doing research in BU's lab and that BU's principal investigator will be a member of his lab's external advisory board.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> </ul>
Dennis Kasper	<ul style="list-style-type: none"> <li>• He directs the New England Regional Center for Excellence (Region 1 RCE), which receives federal funding under the same program as BU's lab.</li> <li>• The Region 1 RCE and BU will each have oversight/advisory roles for the other.</li> <li>• He and Dr. Mark Klempner, the Principal Investigator of the BU lab, have made extensive plans for the integration of the research done in the Region 1 RCE with the BU lab.</li> <li>• Region 1 RCE's researchers will establish research laboratories at BU's lab.</li> <li>• BU's lab will contain unique facilities that will be needed by and made available to his RCE.</li> <li>• According to BU, there has been "complete coordination" between the BU lab and his RCE.</li> <li>• He and Dr. Mark Klempner jointly trained a post-doctoral fellow.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he says that he will serve on BU's External Scientific Advisory Board.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> <li>• His biographical sketch is included in BU's application to NIAID for lab funding.</li> </ul>

<sup>4</sup> Dr. Mark Klempner, the Associate Provost for Research at the Boston University Medical Campus, is leading BU's effort on its BSL4 bioterrorism laboratory.

M. Michael Levine	<ul style="list-style-type: none"> <li>• He is Principal Investigator for the Region 3 Regional Center for Excellence (RCE), which receives federal funding under the same program as BU's lab.</li> <li>• BU's application to NIAID for lab funding states that BU has established a relationship with Region 3 RCE and that he has indicated that the BU lab would meet his research needs.</li> <li>• He has agreed to integrate the needs of his RCE for high containment research with the BU lab.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he supports BU's application for the laboratory and would be pleased to have access to the BU lab for the research that he and his colleagues would perform.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> </ul>
John Mekalanos	<ul style="list-style-type: none"> <li>• One of his research projects is listed in BU's application to NIAID for lab funding as a research program/project that will benefit from the lab.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he says that BU's lab complements the proposal that he would be submitting for the New England Regional Center of Excellence in Biodefense and Emerging Infectious Disease.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> <li>• His biographical sketch is included in BU's application to NIAID for lab funding.</li> </ul>
Samuel Telford	<ul style="list-style-type: none"> <li>• Two of his research projects are listed in BU's application to NIAID for lab funding as research programs/projects that will benefit from the lab.</li> <li>• BU's application to NIAID for lab funding, in the section of letters from collaborators, includes a letter from him in which he says that he will serve on BU's External Scientific Advisory Board.</li> <li>• He is listed in BU's application to NIAID for lab funding as a co-investigator/key personnel for the lab.</li> <li>• His biographical sketch is included in BU's application to NIAID for lab funding.</li> </ul>

**The External Scientific Advisory Committee has no legal standing.**

The Boston University External Scientific Advisory Committee has no legal or regulatory authority to oversee safety or research at the BU laboratory and there is no requirement that BU comply with any suggestion of the Committee. Dr. Fauci's letter to Congressman Capuano explains that NIAID cannot impose requirements on BU for the Committee in a license to BU because NIAID does not require the laboratory to have a license and has no mechanism to grant a license. The Committee is meaningless, dishonestly described by NIAID and BU, and compromised. There will be no independent health and safety oversight of the laboratory supported by law and regulation.

Committee members have no intention to devote adequate time to the Committee. Two of them, Kasper and Telford, wrote to BU that serving on the Committee would be a commitment of only one day every six months. That is not a time commitment to oversee safety and research at a 195,00 square foot facility that will be experimenting with lethal bioterrorism and biowarfare agents.