

DR. HENRY BUTLER III

Letter to House Representative Waxman, D - CA

Dear Congressman Waxman:

I am on active duty serving temporarily in North Carolina at the Naval Hospital at Camp Lejeune. In 2000 I was instructed by Captain Sidney Ranck, by his account on the instruction of Captain Thomas Cullison, NOT to testify on behalf of a Jewish surgeon at a competency hearing being held in Groton, Connecticut.

Captain Ranck said that the commanding officer at Groton's Naval hospital, Captain John A. Burkhart, had telephoned Captain Cullison about the hearing being conducted on behalf of Lieutenant Commander Eric S. Gluck with whom I have performed surgery approximately 12 times.

Captain Ranck's order constituted witness-tampering. As cited in previous communications, our legal officer, LCDR Andrew Blum and I met with Captains Ranck and Cullison to protest the situation, and I testified on behalf of Dr. Gluck. Approximately 2 months later, 2 weeks after the start of the new fiscal year in October, 2000, I was denied funding to attend our national surgical meeting while a colleague was funded. Neither of us had been to any meeting during the new fiscal year which had just commenced. I believe this denial proximate to my disobeying Captain Ranck's illegal order conveys the appearance of reprisal, particularly when I was told by our elected chief of the medical staff, then Commander Keven Delahanty, that I had been denied funding because I was not 'a team player'.

The Army has only 70 of the approximately 150 surgeons that it needs. I do not know the numbers for the Navy, but it is of some interest that Dr. Gluck was discharged from the Navy after being cleared of wrong. The Air Force has a surplus of surgeons, and yet they are not re-assigned routinely to work for the government in the other two Branches.

In my previous communications with you I have requested only to submit letters of instruction. It would appear that an investigation was conducted, that LCDR Andrew Blum wrote the reply for our command, and that he was NOT aware that in 2000 a new fiscal year had commenced and that my colleague had received funding while I, a whistle-blower, had been denied equal treatment.

I respectfully request a public Congressional investigation of possible anti-Semitism against Dr. Eric Gluck, as well as career- protection for myself. I am requesting transfer out of the Navy to an equivalent clinical, NOT administrative, post in another Branch because of the reprisal encountered in this case.

As things now stand, there are at least two outstanding cases of abuse describing reasons doctors should hesitate to serve on active duty. Such reprisal

can be punished and the shortage of doctors can be alleviated with timely Congressional action. Without punishment of reprisal and timely Congressional action, the shortage of surgeons will persist. I request protection from further reprisal, and respectfully refer you to the cases of Drs. Victoria Voge and Stephen W. Smith on the web site of Semmelweis Society (www.semmelweissociety.net). What American citizens defend is the rule of law. What the UCMJ lacks in the treatment afforded these physicians is due process, as cited on the web page in the article by Judge Scott Segall. In the absence of legislation requiring due process, it may be necessary to draft doctors again, because they are not likely to choose to be abused after they have been duly informed of what treatment to expect.

Sincerely,

Henry E. Butler M.D., FACS