

December 23, 1971

The Honorable Edward M. Kennedy, Chairman
Subcommittee on Health
United States Senate
Washington, D.C. 20510

Dear Ted:

Thank you for your letter of December 17. I appreciated having a report at this time on some of the actions to date in connection with the University of Cincinnati cancer research project.

I regret any inaccuracies in my earlier letter. Perhaps they are not surprising in view of the fact that, as far as I know, no committee authorization has taken place and up until the last week or so neither minority staff nor my staff were being apprised of any actions being taken by majority staff members. Immediately following the October 8 Washington Post article, as you know, the paper carried a story by Stuart Auerbach quoting you as follows:

"I was shocked and disturbed to learn from today's Washington Post," Kennedy wrote Defense Secretary Melvin Laird yesterday, "that the Defense Department is sponsoring research on radiation effects on human beings without informing the individuals involved of the military purposes of their irradiation."

"I believe this project represents an incredible infringement of individual liberty and establishes a dangerous precedent for the reduction of human rights in our society," Kennedy continued."

As far as I know, this has never been contradicted, although I am happy to note the qualification that you included in your letter to Secretary Laird. Not having any other information, I assumed, apparently incorrectly, that there had at least been a staff visit and report from Cincinnati on which your comments were based. The inference that the research program was at the direction of the Department of

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Defense, rather than a long-standing cancer research program of the institution, was also very unfortunate and inaccurate.

As I have indicated in my earlier letters, to get the truth of the matter before the committee and the public, I feel it is vital that a thorough study and report be made by professionally qualified experts. In this regard, I repeat my prior position — that the demand by staff members, unauthorized by committee action, to interview patients and patients' families raised doctor-patient relationship questions, as well as questions regarding the obligation of the institution and of the doctors, for the welfare of the patients. Certainly proper safeguards against abuse or improper use of information obtained should be set by the committee. Until this has been done, my recommendation and position is that any such interview should be deferred. Any minor delay which might result from providing such protection to the patients and assuring a fair hearing to all involved would seem to be more than justified.

Sincerely,

Robert Taft, Jr.

RTJr:vcn