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May 24, 1994

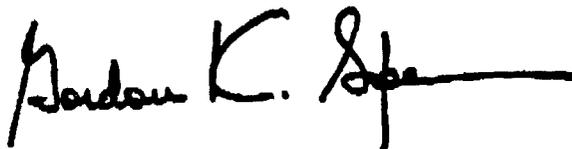
MEMO FOR: Distribution

SUBJECT: Actions from Advisory Committee

As I am sure all of you remember, the Advisory Committee staff under the leadership of Dan Guttman this past Friday said that they would put into writing the action items that they generated as a result of our discussions. Well, here they are!

I've tentatively assigned responsibility for lead organizations to work these actions. We can discuss at our Steering Committee meeting this Thursday any "mid course" corrections to these assignments.

Thanks.



DISTRIBUTION:

COL Bailey, RECC

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R. Bumgarner, AFRRI

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Advisory Committee on Human Radiation Experiments

1726 M Street, N.W.
Suite 600
Washington, DC 20036

May 23, 1994

Via Fax

Dr. Gordon Soper
Principal Deputy to the Assistant Secretary of Defense for Atomic Energy
Department of Defense
The Pentagon Room 3E1074
Washington, D.C. 20301-3050

Dear Dr. Soper:

On behalf of the other members of the Advisory Committee Staff, this letter is to thank you for the opportunity to meet with the Defense Department Search Group on May 20th. We look forward to working with you, and agency historians, in follow up talks in the immediate future.

As we discussed, the following is a list of immediate term "action items". In general, they follow upon our April 26th request for information, and to the Committee's consideration of the DOD (and other agency) response(s) at its May 18-19 meeting. It would be appreciated if responsive information be provided on an "as available" basis, as it is our hope that the response (or at least a good start on it) can be made available to the Committee for consideration at its June 13-14 meeting. Of course, should the requests need clarification or amplification, or if they may be recast in ways likely to provide the information more efficiently, please let us know.

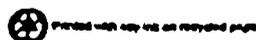
I. Information on DOD ethical standards development.

A. Secretary Wilson's memo

In response to our April 26 request, DOD provided a copy of the February, 1953 letter from Secretary of Defense Wilson to the Secretaries of the Army, Navy, and Air Force Re. "Use of Human Volunteers in Experimental Research."

In 1975 the Department of the Army Office of the Inspector General and Auditor General issued a "Research Report Concerning the Use of Volunteers in Chemical Agent Research." That report states, at 77, that the February guidance "came after a thorough evaluation of the results of the Nuremberg Trials and lengthy deliberations by the Armed Services Medical Policy Council." The Report also refers to contemporaneous meetings of a Chemical Corps Advisory Group, and provides fairly detailed description of the implementing procedures established by the Army.

We would request all documents (and other information) bearing on that memo's development and implementation. These would include, for example:



*Submitted
to WHAC
on this
via
Carl
Sutter*

ACTION

Submitted by Col Swith to D Gault on June 10
Done

All Navy input June 8 June 13 AF in

All Navy input June 13

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1. A complete copy (including any attachments) of the 1975 report, and copies of documents referenced in it..

2. Documents relating to the consideration ("deliberations", "evaluations," etc.) that preceded (e.g., in the case of the Medical Policy Council) or accompanied (as in the case of the Chemical Corps Advisory Committee) the issuance of the Secretary's memo.

(1953)

3. Documents relating to the implementation of the memo in any DOD branch(es); e.g., documents considering proposals to implement the guidance, documents stating OSD, DNA and/or service-specific guidance (whether in the form of memos, directives, contract terms, etc.), and documents evaluating implementation.

4. Documents describing any experiment proposed for consideration (whether approved or not) pursuant to the February, 1953 Guidance (and/or implementing directives).

Army

5. Any histori(es) of the Army Chemical Corps' radiological experiments, including, for example, those conducted at Dugway in the 1940's and 1950's.

B Committee on Medical Research

As we discussed, during the Second World War the Committee on Medical Research (CMR) (an OSRD subsidiary) evidently considered the question of human experimentation. For example, documents obtained by the Committee (and provided to you previously) indicate that "the question of the attitude of the [CMR] toward human experimentation in general." was brought before the CMR at an October 29, 1942 meeting. In that light we would request copies of the minutes of the October 29 meeting (and related documents), and any other documentation of the CMR's consideration of the question of human experimentation.

AFRRI

C. Navy Policy

At our May 20 meeting the Navy provided us with copies of Navy rules/policies dating back to 26 September 1951. That document states, in part, that "[experimental studies of a medical nature involving persons in the Naval Establishment are forbidden except when the experimental design in each case has received prior approval of the Secretary of the Navy." We very much appreciate the provision of this information, and would request:

1. Copies of any documentation relating to the development of the September, 1951 policy and rules.

2. A brief description of experiments submitted for approval to the Secretary of the Navy.

II. Documents Relating to Particular Experiments

RECC

Pursuant to the Committee's April 26 letter DOD provided certain documentation relating to the "Cincinnati" and "Green Run" experiments. The Committee has asked Staff to seek this further documentation, including that identified in Staff memos which we have provided to you.

FRRI/RECC

With regard to the Cincinnati experiment it would seem that DOD may possess (or have possessed) documents related, at least, to Staff memo items 1-2 and 7-9. We therefore request:

1. Any pre-1967 documentation of a protocol for determining anti-tumor effects of TBI (item 1)
2. Any documentation that might show the basis for the evident expansion of the psychological component of the work that took place in 1963-1964 (Item 2).
3. Documentation of the work assigned to and/or performed by Dr. Saenger as a staff member and/or consultant to Brooke Army Hospital, USPHS, and AEC Oak Ridge during the period 1953 to 1972 (Item 7).
4. Copies of research/contract proposals, contracts, and research or progress reports for the work done at Baylor and Sloan-Kettering, as further referenced in item 8. In addition, we would request documents related to the DOD's potential or actual use of the Sloan-Kettering and Baylor research.
5. A statement as to whether any of the investigators engaged in the Cincinnati experiments have ever held security clearances, and, if so, the period during which each such individual held a clearance (Item 9). In addition, we would like similar data for the Baylor and Sloan-Kettering investigators. Similarly, we would request documents which might explain the rules or basis on which investigators in such experiments were (or were not) given clearances.

AFRRJ
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 by
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 clearance

We would also request:

DNA

1. Any documentation of the actual or potential use by DOD of the data or results of the Cincinnati experiment.

DNA

2. Documentation showing the work performed by the Fort Knox Medical Laboratory in relation to the experiments.

DNA

3. Documents (or other information) that might indicate a) why certain aircraft manufacturers were included on the distribution list for the experiments, and b) whether the distribution list contained in the progress reports was supplemented by any further distribution list (e.g., a classified distribution list).

AFRRJ/DNA

4. Documentation (or other information) showing whether the work performed at Baylor, Sloan-Kettering, Fort Knox, and Cincinnati was subject to the February, 1953 Wilson guidance (including any further implementing guidance or rules), and, if so, showing the review of this work pursuant to the guidance.

D:

5. Any documentation relating to applications by Dr. Saenger for research or other support in the period prior to 1958, as indicated, for example, in the 1950 grant materials found in OSD files at the National Archives. (This material is included in the documentation we previously provided to you).

USAF

AF Done 8 June

With regard to Green Run, DOD provided certain documents produced by entities other than DOD. As discussed with you, we would request 1) the AFOAT-1 history, insofar as it relates to Green Run and any other intentional releases (as defined by the Committee's charter); 2) the minutes of the Joint Committee on Atomic Energy Intelligence, also insofar as it relates to Green Run and any other intentional releases. To the extent this material is classified, we would request that it be reviewed for declassification and provided.

IV. Organizational Data

RECC/All

As we discussed, in order to both identify individual experiments and the policies and context in which they are set, it would be useful to have basic data on the location of organizational responsibility for experiments. This would include data on the identity of entities sponsoring or conducting an experiment, but also the identity of organizations that set policy for, coordinated, managed (e.g., procurement offices), requested, utilized, and/or provided funding for experiments. The organizations would include relevant ad hoc groups (e.g., task forces), advisory committees, etc., as well as staff and line offices. This data would also include data on the lines of authority running to and from these organizations, and, in the case of interagency relationships, the forms which defined organizational relationships (e.g., memorandum of understanding, contract, interagency agreement etc.). The data would be especially valuable for the earlier years of the period of inquiry.

now WP 13 June

We would therefore request historical organization charts (or comparable narrative data) which covers the above information. In doing so we note that DOD's January 31, 1994 search directive called for the "identification of DOD organizations under the authority of each addressee that...might have conducted or sponsored human radiation experiments." To the extent that you have already, by consequence, provided us with organizational data, it need only be referenced.

AF provided same on 8 June

RECC/ACC

V. Further Search Documentation

You have already provided us with much information on the DOD search. We would appreciate any further data (including, in particular, description of specific resource levels employed, status reports, quality control plans and actions, etc.) that can be provided in advance of our forthcoming service specific (and OSD and DNA) meetings.

heavy input 13 June

Finally, we would also appreciate copies of the records of any interviews conducted (e.g., the "graybeard" interviews) by DOD on behalf of its search. (We understand this may include videotape materials).

AF 8 June provided video tape Col P. Saenger

— nothing follows —