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HUMAN DRUG TESTING BY THE CI[illegible] 197[illegible]

HEARINGS

BEFORE THE

SUBCOMMITTEE ON HEALTH AND SCIENTIFIC RESEARCH

OF THE

COMMITTEE ON HUMAN RESOURCES UNITED STATES SENATE

NINETY-FIFTH CONGRESS

FIRST SESSION

ON

S. 1893

TO AMEND THE PUBLIC HEALTH SERVICE ACT TO ESTABLISH THE PRESIDENT'S COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS OF BIOMEDICAL AND BEHAVIORAL RESEARCH, AND FOR OTHER PURPOSES

SEPTEMBER 20 AND 21, 1977

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assure you we have nothing more on these subjects known to us at this time, and I am pleased at the diligence of our people in looking and I am pleased that each time something does turn up, it immediately comes forward and we make it known to you.

Next, you asked about the accuracy in some of the allegations——

Senator KENNEDY. Maybe I could just refer to this in greater detail. Our committee began its inquiry in 1975. It is apparent from some of the documents released to us last week, that documents were available that could have been helpful to us in 1975. One of the documents was made available to the Church committee at that time, but not to our committee until recently, and I am referring to the memoranda for the IG on Subproject 3 of MKULTRA, dated February 10, 1954, which describes the project involving the testing of drugs on unwitting persons, the use of electronic and photographic equipment, the liaison with a narcotics agent by the name of Morgan Hall; the names of the drugs he administered. The last list of four drugs would have been useful in 1975.

In the material provided several weeks ago, we noticed a buck slip that was found in 1975, and it was handwritten in 1975, and it says,

> The attached package should be of interest to you in connection with the relations with BNDD regarding arrangements on East and West Coasts; see, particularly, the January 30, 1967, Gottlieb memo.

So, this was obviously obtained in preparation for our hearing in 1975. There was a Gottlieb memorandum which still was not included in the package given to us. We certainly did not have it back in 1975, and there were other memos from August 25, 1975, indicating that there had been inquiries concerning possible employment of Ira Feldman, and these documents were not provided prior to the August 3 hearing, when we were trying to put the maximum light on these subjects.

So, I want to be very specific. We have mentioned these to your staff in preparation for these hearings, so that you would be aware of the program. But, those were the references. I am convinced that with regards to the memorandum from Gottlieb, that with that information, we could have had all of this really behind us and we would not have to be back here, in terms of our particular interest. With what we are interested in, I am satisfied, but those were the documents that we referred to in my opening.

I think the areas in which we would be most interested, Admiral—and we will include your statement, obviously, entirely into the record—I think is this basic kind of conflict. I wonder if you could address it. You indicated from your testimony here, that the follow-on programs—I mean, we are talking about the early history, which was on unwitting; the later history, was on witting subject. We are obviously concerned about that, as well, in terms of the kind of information that is available to agents in order to make an informed judgment and decision about various kinds of testing.

That is, obviously, of great concern. We have seen in the past where even witting subjects were not given the full kind of information needed in order to make an informed judgment.

Now, that particular document—I am sure you are familiar with it now—where you indicated that those studies, or those tests, or those projects were being done by DOD, and DOD's response, was that they were being done by the Intelligence Agency—and this was

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as of last evening. I mean, this is your Agency and DOD reviewing the same kinds of material, and each saying that the other had responsibility on it, and what we are trying to do is to put it to rest, so we know who had the responsibility, who had the authority, and I am wondering if you can help us on that.

Admiral TURNER. My agency has full responsibility for MKSEARCH, OFTEN, and CHICKWIT, and I do not believe there is a conflict between us and the Department of Defense, and I do not even believe there is between my statement on the 3rd of August, but on the 3rd of August, I was here to testify on MKULTRA. I knew very little about MKSEARCH, and the Department of Defense, I think, at that time knew less, because these documents are incomplete and none of us had been reviewing them at that point.

I find myself in no conflict with them at this time. MKSEARCH and OFTEN/CHICKWIT were CIA projects. They were part of a larger envelope which included a Department of Defense program, but not Department of Defense responsibility for those particular subcomponents. A part of the activities of some of those components was funded through Department of Defense agencies, and, most specifically, the Edgewood Arsenal.

I take full responsibility for anything done in SEARCH, OFTEN/CHICKWIT.

Senator KENNEDY. Was experimentation on human subjects part of that program?

In your testimony, just earlier, there was, obviously, the CIA participation in what was basically a DOD program, and the DOD indicated that it was your program and you are taking responsibility for that this morning. The other question is, did they involve experimentation in human experimentation, and your response to that was, "No, sir," and they did. They did involve human experimentation.

Admiral TURNER. I have two experts on my left; one on OFTEN/CHICKWIT, one on SEARCH. Ed Gordon, would you talk about human——

Senator KENNEDY. Would you just identify yourself, please?

Mr. GORDON. I am Ed Gordon. I will address the OFTEN/CHICKWIT. CHICKWIT was, as stated in some of the material you have, a program to get foreign drugs, information on foreign pharmaceuticals, developments in Europe and the Far East. There was no testing scheduled, and our records indicate that there never was any testing of any kind under project CHICKWIT.

I would like to point out that CHICKWIT does not have the "MK." There has been a misunderstanding. So, it is just plain CHICKWIT.

Senator KENNEDY. It does not surprise me, because when we tried to find out about MKULTRA, it was very clear what our interests were; it was and is on human experimentation, and, obviously, on unwitting experimentation. These are our interests. We made all the requests on MKULTRA and got a response that this was the end of project MKULTRA. Then we found that the projects have changed, the names, to either MKSEARCH or MKOFTEN, or that the code name has been dropped on it. We had difficulty in getting information, because we did not make the exact kinds of requests for the information on these projects since their code names were changed. So you see our difficulty.

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The Director responded that there was no human experimentation in those programs. Now, I understand that there was human experimentation in MKOFTEN.

Mr. GORDON. In project OFTEN, Senator, there was human testing involved. To the best of our knowledge, that was part of an ongoing DOD program. We identified a single compound which we were interested in as a defensive mechanism, because we knew that foreign intelligence people were using it.

We believe, from the evidence we have, that though the testing was fully intended on that compound, that the project was stopped in January of 1973, before any human testing for Agency was conducted.

Senator KENNEDY. I see. So, your point is that they intended to test it on humans, but actually they ceased it before it was tested?

Mr. GORDON. Yes, sir.

Senator KENNEDY. Well, the log of the tests here have June 1973, a period of four tests; two tests, two people each. Are you familiar with those?

Mr. GORDON. Senator, I am familiar, in that the Defense Department, in telling us the things that they had found out, said that there were two tests in June of 1973 on two military volunteers, and in the draft that I received on that, it said that it was wholly sponsored and funded by Army research and development. We have no results.

Senator KENNEDY. Yes, but you just said there was not human testing, before, as I understood the——

Mr. GORDON. Sir, I said under Agency sponsorship.

Senator KENNEDY. Oh, under Agency. The thing I am confused about is that we have the records of testing of those four; two tests of two individuals each. You say that there was not any testing, as far as the Agency is concerned. The Admiral assumed complete responsibility for the totality of these programs, just 4 minutes ago.

And, now, we have the DOD statement—their comments—saying that these matters were directed, controlled, and funded by the Intelligence Agency, and that they were the conduit of funds. Now, I am just trying to piece it together here.

Mr. GORDON. Sir, I can understand the confusion. I can only again say that I was aware of only one of those tests in June of 1973 that I was given to understand were two, and that they were done by the Department of Defense under Army's research and development. As such, they would not have been part of the Agency's project OFTEN.

Senator KENNEDY. Now, in one of the CIA documents on drug research you indicate Agency support for the clinical testing and collection of information on, and samples of, foreign drug developments, which terminated in January. Because of prolonged aftereffects, additional charges to the contract were made after this date for the necessary post-test follow-up observation and examinations of the volunteer.

Mr. GORDON. Yes, sir.

Senator KENNEDY. There is a volunteer.

Mr. GORDON. I acknowledge there is conflict, but I cannot explain that. We have nothing in our records that indicates that there was the kind of testing that we were interested in, or CIA-sponsored

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testing. We do know that there had been testing on this particular compound prior to Agency's saying, "Can you test it for us in this fashion?" We asked for a specific kind of application.

Senator KENNEDY. Well, this is your document, not DOD's document.

Mr. GORDON. Yes, sir.

Senator KENNEDY. It talks about a follow-up on the volunteer, and your testimony is that there was no human testing?

Mr. GORDON. We have nothing beyond that information.

Senator KENNEDY. And, yet, the documents that were provided for us, against some background yesterday, where we heard from other agents who talked about the value of the files that are kept by the Agency, seems to indicate otherwise. I mean, if you are confused, you can imagine how we are on this.

Mr. GORDON. Yes, sir, I certainly can.

Admiral TURNER. May I interrupt, sir?

Senator KENNEDY. Yes.

Admiral TURNER. I want to make it perfectly clear, Senator Kennedy, we are not professing to tell you the complete story of these activities. We are professing to tell you the complete story that we know. These records that we have uncovered are financial records. They do not tell the story; they tell pieces of it.

Senator KENNEDY. The thing, though, Admiral Turner, having tracked this the best that we could from the origins of the program, we are now up to 1973. There are people around who were involved in that program. In dealing with the early part of the 1950's, it is a little more difficult because the people who were involved in those programs are deceased, and we can understand that.

But, now, we are talking about the people who were involved in it in 1973 and we have direct conflicting testimony on the nature of this program, both from the Central Intelligence Agency and the Department of Defense. Now, is that not the case in terms of the material that we showed you in preparation for this hearing? The Department of Defense is in basic conflict with what you are telling us, in terms of the nature of the program? And we have just seen an example of that, in terms of my questions here.

Now, do you understand that; that there is a dilemma that we are confronted with at the present time?

Admiral TURNER. I do not sense a great sense of conflict between us and the Department of Defense.

Senator KENNEDY. Well, will you explain for me, then, why, in your testimony, you tell us that you have full responsibility for that, and Mr. Gordon says that there was no human testing, and then in the file here, it shows that there were four testings, and we will give you the dates on those programs?

Admiral TURNER. It is my understanding that is done under the Army program, not under the CIA program.

Senator KENNEDY. And the Army says, specifically, "The projects the Director defines in his testimony as basically Department of Defense projects, were, in fact, planned, directed, and controlled by the Central Intelligence Agency." Now, that is from the DOD; we got it last night; directed control, and that the military departments were solely a conduit of funds from the CIA to outside contractors.

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Now, that is 1973. That is just a few years ago, and that is why we have difficulty on it, and I imagine you have difficulty, too.

Admiral TURNER. I have great difficulty. I am happy to ask the General Counsel of the Department of Defense, who is in the room, to come up and help us clarify this thing. I am not trying to hide anything. If there is confusion here—I do not understand it that way. I do not understand this statement; I have never seen it or heard it before you read it.

So, if she would like to come up, we will try to straighten it out between the two of us.

Senator KENNEDY. Well, I do not want to take away from your time. Does the Counsel just want to make a reference to that at this time, or if you want to be more elaborate on this, we will give you a chance.

Ms. SIEMER. Well, we will appear before you later on this morning, Senator. We do not know any more about it than the admiral does. We have the same records, and we come to a different conclusion. Our conclusion is that the testing that was done was part of a project that was tested by the Agency. We have no additional documents and no additional records, other than those that are available.

Senator KENNEDY. Then, we will wait. As I understand, you have the same documents as the Agency has and you both reached different conclusions, in terms of responsibility.

Ms. SIEMER. We have provided our documents to Admiral Turner. I apologize over the fact that they were not provided to him until 2 days ago, and he has not had an opportunity to look at those and try to analyze them. That is my fault, because it took us a long time to get them out of our files.

Senator KENNEDY. Well, we will hear from you later on. But, the problem, as we see it, is in this follow-on testing, and over the course of our investigations, we see the various kinds of drug testing assuming different names; it is the MKULTRA, MKSEARCH, MKCHICKWIT, MKOFTEN. Whether they have "MK" before them or not, there is a continuing program for a period of some 21 years, up to 1973, with unwitting and, then, witting subjects.

The matter that we are obviously concerned with is the issue of accountability; people wonder how these programs go on and continue. You are not going to be able to halt a program, or review it, or protect the people who are involved in it unless we know who is in charge. We have direct, conflicting testimony from the two agencies of Government that have responsibility in this area, that is the Agency and the Department of Defense, and that is where we are at.

Admiral TURNER. Well, we are happy to try to sort it out. I have just been handed what I am told is the DOD document that you are referring to, and in tab G, last page, there is a statement which—and this is a DOD document, not mine—it says:

> In June, 1973, two military volunteers were tested at Earle—that is an army depot—with EA-3167, but these tests were funded by army RDCE funds, and they are not connected in any way with the CIA project.

I do believe I am responsible for OFTEN/CHICKWIT. I do believe that we funded some things through the Army under OFTEN/CHICKWIT, and that the Army did other projects which were not part of OFTEN/CHICKWIT, but were in the same area and related

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to it, and that this testing of human volunteers was in that latter category of an Army project closely related to OFTEN/CHICKWIT.

Senator KENNEDY. Well, we will move on from this. I will yield to Senator Schweiker on it, but we will try and get the staffs of your department and DOD with the same material, since we all agree that we have got the same documents, so that we can at least get a resolution about it. I think that is going to be important.

We have the remaining areas, which we are going to review with Admiral Turner, but Senator Schweiker has an area now.

Senator SCHWEIKER. Well, I have another example the same exact sort of conflict between your CIA testimony at the last hearing and the information we now have, Admiral. I want to preface my remarks by saying I commend you for releasing the initial documents. I know it was not an easy thing to do; and I know from having served on the former Intelligence Committee, that that committee could not even get the information at all. So, I think you have to be given credit for providing us with the documents.

But, I want to bring up another instance of the same type of conflict that Senator Kennedy just brought up with regard to other projects. When I questioned you last time you were here, I asked you about subproject 54 on brain concussion. One of your aides gave a brief reply, and you promised to find out what you could about it and supply it to us.

We have not had too much success in getting any additional information, except, I think, at the last minute, we were told the CIA really did not have control of this project: It was handled by the Office of Naval Research; it was basically their project. The CIA phased it out.

Well, here we have, again, in the Defense Department's, testimony, dated September 20th, what appears to be a contradiction. Here is what DOD says about it:

> This project began in October, 1954 and was terminated, at least with respect to the Navy, in December, 1955. It was performed by a contractor located in California. The involvement of the Navy was primarily as a conduit of funds from the Central Intelligence Agency to the contractor. A small amount of Navy funds may also have been used for this contract. In December, 1955, this project was terminated as far as the Navy involvement was concerned, and it thereafter, apparently became subproject 54 in the MKULTRA project.

We are faced with a real dilemma in pinpointing responsibility and authority as to what happened. Here is another classic example where, initially, you folks said, no; it was funded and run by the Office of Naval Research; it was their project. That was the only information you could supply to us about the project. Now, the Defense Department is saying just the opposite.

How do we pinpoint accountability and responsibility? How can we tell who was in charge?

Mr. LAUBINGER. Senator, I would like to make a few comments to that, since I answered your question before on 54. We furnished the committee with all the project folders on MKULTRA, including 54, complete.

Senator SCHWEIKER. I want to compliment you for that. I think it was critical to our attempts to sort out what went on in the MKULTRA projects, I think we should compliment you for doing that.

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Senator KENNEDY. Would you identify yourself, please?

Mr. LAUBINGER. I beg your pardon, Senator. I am Frank Laubinger with the Office of Technical Service, which was formally TSD, Technical Services Division. I testified before with the Admiral on MKULTRA.

On project 54, it has got a rather sensational proposal in there, in terms of the work that they propose to do, and you asked about the proposal and I said, in fact, it was never funded under MKULTRA. Now, I overlooked—at least, my memory did not serve me correctly when I went through that file folder to see one memorandum dated January 10, 1956, which makes it quite clear, as a matter of fact, that that proposal was based on prior work that was funded by the Agency.

Senator SCHWEIKER. By whom?

Mr. LAUBINGER. By the CIA. So, that information was in their file folder. It did not happen to be in my head when I testified.

Senator SCHWEIKER. I think I might have read part of that memo to you at the last hearing. That is why I argued with you at the time, because I think I had documents in front of me, as I recall, which clearly indicated CIA involvement. I did read that to you. You did supply the documents to us. There is no argument about that information, but you seemed to be denying what appeared clear from the documents and persisted in denying it until this morning.

Mr. LAUBINGER. Perhaps I am sort of headstrong, myself, and in my own view, I am reading under the ULTRA project, that if it had been funded under ULTRA, it would have had a project number and identified as such. The thing that threw me was that it was funded, apparently, outside of any MKULTRA activity and it was under the normal contracting process, so that it was not included in MKULTRA as any work done under that funding umbrella.

The file folder that you have and I have, right here, makes it quite clear, however, that 1 year's work was done through Navy funding—a Navy funding mechanism—on which the proposal was based that ultimately came into the MKULTRA program. That second proposal was never funded. So, there was conflict and I, personally, I think, introduced a little bit of confusion in that in my testimony.

Senator SCHWEIKER. Well, do you agree or not agree with DOD's statement here that even though the initial funding went through Navy, the Navy was really acting just as a conduit for the CIA?

Mr. LAUBINGER. I think that is correct.

Admiral TURNER. Would you like me to address your other basic points, Senator?

Senator KENNEDY. Yes; if we could go to the quality of the nature of the files of the Agency, and the kind of information that is getting up through the system. Maybe you would want to make a general comment about those allegations and charges which we heard from the four witnesses to the effect that many of the descriptions of ULTRA projects contained in the files, for which they were responsible, were not accurate. The witnesses referred to these descriptions as boilerplate descriptions. One went so far as to say that some of the records were intended to be misleading. Mr. Lashbrook even implied that there would be two sets of files; one with a complete, accurate description; one without that.

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We continue to be troubled by the nature of the recordkeeping. We have direct conflicts by sworn testimony by different agents. Obviously, your explanation has been of some help, but we had different conflicts about just whether the recordkeeping was in this file or that file; agents, under sworn testimony, who told that they were told by superiors to work up a justification, and others that said that they signed matters as a matter of routine that had no relevancy to the substance which they were interested in.

We cannot come away from the conclusion that at least somewhere—I do not think it is with you, personally, but I think within the Agency, that they felt that this was all part of the past and it was not really necessary to really come forward with the kind of information that close this chapter.

We find, just in our staff people interviewing agents and people that have information, that they have never been contacted by the CIA, even in recent times; recent weeks, recent days. And this is disturbing.

But, we want to look to the future, both toward the charter of the Agency that will be directed toward the protection of the human subjects and we want to look to our legislation. We have extended the life of the panel on protection of human subjects, now. We passed it in the Senate last week. It did not have a particular phrase, in terms of the Agency and DOD on it, but it is absolutely essential that we do, when we come to grips with that, hopefully at the end of this year or the early part of next. The Secretary of HEW has some ideas relating to that whole panel which we have to clarify.

But, we will want your support in the charter which, I am sure, from your own personal testimony, you would see achieved, and we would want your support in terms of the legislation in the future. We thank you for your presence here today.

Admiral TURNER. Thank you very much.

Senator KENNEDY. We will hear from Deanne Siemer from the Department of Defense, who also has got a conflict in terms of time, her testimony will be, as I understand it, relatively brief and then we will recess.

Ms. Deanne Siemer, we are glad to have you here. We welcome you here. You have a lot of empty seats on both sides of you. You look like a lonely figure out there, but I can tell from our past communications with you on other matters, that you handle these responsibilities extremely well and capably for the Department.

We welcome your testimony here, we would like you, if you would, to direct yourself to those inconsistencies that I mentioned earlier with Mr. Turner, giving you an opportunity to address those. I will ask you to do whatever you want to do, in terms of your presentation, but I hope you will come to grips with that particular problem; whatever way you want to proceed.

STATEMENT OF DEANNE C. SIEMER, GENERAL COUNSEL, DEPARTMENT OF DEFENSE

Ms. SIEMER. Senator, let me address first the question of the testing at Edgewood with respect to this compound, which has been designated 3167.

Senator KENNEDY. What was that one? Can you tell us?

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Ms. SIEMER. That appears on page 5 of my report to the Secretary, and it is a project that began in 1971, was terminated in 1973, and was part of Often, or Mkoften. Apparently, what happened here is that the Edgewood Arsenal research laboratories were testing a number of compounds prior to the time that the Central Intelligence Agency had any interest in these compounds.

They tested the compounds both on animals and in human testing, and the human testing has been reported to you previously. In 1971, the Central Intelligence Agency apparently reviewed Edgewood's work in connection with their Project Often to identify any part of Edgewood's work that might be useful for that project, or useful for the purposes that they had in mind, which were apparently different than the purposes for which Edgewood had initially done the testing.

In 1971, the Agency transferred some $37,000 to Edgewood to pursue testing of this compound, which was designated EA-3167, which had previously been tested by Edgewood. The Agency was interested in some different kinds of testing.

Specifically, they wanted to know from Edgewood whether this compound could be put on an adhesive substance and transferred to humans through skin contact. Edgewood's previous experiments with this compound had apparently been done in different forms of administering it by intermuscular injection, and other means of testing it, for different purposes.

The Agency wanted to know, could this compound be placed on an adhesive substance and transferred to skin for absorption through the skin. Again, the documentation is very sketchy and it is difficult to tell exactly what was done. Edgewood took the Agency's money, did the testing, and was successful in formulating a way to apply this compound to an adhesive.

They tested it primarily on animals and, indeed, the indications are that all of the results that were reported to the Agency were testing on animals; primarily, I think, on mice. The funding for this was planned to be terminated in January of 1973. The funding apparently was not terminated until June of 1973.

The testing about which you asked Admiral Turner occurred sometime in June of 1973. It is our conclusion from the documents available to us, and from the people available to us, that the testing on that particular compound, in June of 1973, was a part of the Agency's project.

Now, as I say, I have no other documents to support that conclusion than the Agency has to support their conclusion that it was not. The reason I reach that conclusion is that Edgewood had completed its testing of this compound and had no further interest in it at the time that the Agency asked Edgewood to take it up again in 1971. When the Agency asked Edgewood to take it up again, they did, they did a certain amount of testing and that testing was completed in June of 1973, when the funding from the Agency was completed.

There are, I think, five documents relevant to this, which your staff has been provided by the Agency. First, is a CIA document dated May 29, 1973, which is a memorandum for the director of research and development. The second is an undated CIA document entitled, "Influencing Human Behavior." The third is a CIA document dated February 12, 1975, which is a memorandum for the record and a trip report to Edgewood to interview people with respect to what that program involved. The fourth is a CIA document dated February 17,

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1971, which, again, is a memorandum for the director of research and development.

Those are the documents that we have; those are the documents that the Agency has; and that is what we know about that program.

Senator KENNEDY. Well, that is very helpful. I gather from what you say that the interest of the Department—DOD had terminated prior to the actual testing that was done.

Ms. SIEMER. That appears to be the case. This compound was one of a large number of compounds that were surveyed by Edgewood for various purposes. The Agency came and looked at Edgewood's survey, identified this compound as of particular interest to their purpose, and asked that further work be done.

Senator SCHWEIKER. There was a destruction of CIA documents in January 1973. Is there any indication that signficant documents relating to this project might have been destroyed with the files that the CIA destroyed around that period of time?

Ms. SIEMER. I do not know that, Senator. I have no way of knowing how the Agency kept their records with respect to this, or what records one would expect to find.

Senator KENNEDY. I think Dr. Gottlieb did that prior to the time he left. We are going to hear about that in a short time.

Were there any occasions that you know of where the CIA decided that they did not want to share the results of some of these experiments with the Department of Defense, and where they took the projects out from under the Defense Department's surveillance?

Ms. SIEMER. Yes, Senator, and that is the experiment that Senator Schweiker referred to with respect to blast concussion. The Navy had some interest in that project because they have an ongoing study of headgear and protective headgear.

The project began in October 1954, and it was a theoretical, physical study intended to use fluid-filled flasks and dynamite to see what happened to the fluid in the flask when the impact from the blast hit them. That work was funded by the Agency, and when the contractor came in with a follow-on proposal, the Agency's documents indicate that they decided to terminate the Navy's involvement in that program because they doubted the Navy's capability to maintain the security of the program.

Senator SCHWEIKER. Do the documents show how long after the Navy's involvement terminated that the CIA carried on with the project?

Ms. SIEMER. They do not, and they do not show that the CIA did carry it on. They do show that the CIA terminated the Navy involvement and, specifically, they were concerned with the possibility of operating a program securely under the previous cover, which was the Office of Naval Research.

Senator KENNEDY. That means, basically, they did not trust them?

Ms. SIEMER. I would hope that they would trust the Navy, but apparently what it involved was—the CIA's document says that this work would involve human experiments of a type not easily justifiable on medical or therapeutic grounds. They also noted that they would have to clear a number of Navy personnel; a number of Navy personnel would have to know that this work was going on. They did not want to do that.

Senator KENNEDY. What year was that?

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Ms. SIEMER. That was in 1956.

Senator KENNEDY. I see.

Ms. SIEMER. So, they decided against clearing the Navy personnel, and since they could not run the program without clearing the Navy personnel, using the Navy as a conduit, they terminated the Navy involvement in the program. Now, you have heard testimony this morning that they also terminated the program. We have no way of knowing that that is the case.

Senator KENNEDY. We have been over, in 1975, the Department of Defense's programs in very considerable detail. Could you briefly describe the kinds of research projects that were of interest to the DOD over the recent periods of time, and the significant results of any that the Department of Defense derived from any of these programs?

Ms. SIEMER. Yes, Senator. The program that I described at Edgewood, which terminated in 1973, is really the only significant recent program that was conducted, using military facilities. And as I said, that program was successful in the sense that the Army developed what the Agency asked them to develop, and they were successful in doing what the Agency asked them to do. Whether that constitutes a product or constitutes a contribution, I do not know.

The remaining programs, as you can see—four of them were terminated in the early 1950's or 1960's, and those are four Navy programs, and those programs are primarily where the Navy acted as a conduit for Central Intelligence Agency funds. Let me just review those briefly for you.

There were four programs in which our records indicate that the Navy operated solely as a channel for funds to outside contractors. Those are the programs described in my memorandum, the first of which is a synthesis of analogs of certain kinds of stimulants. The second is the identification of a nonaddictive substitute for codeine. The third is the blast concussion project which I have just discussed, and the fourth is the administration of LSD to human subjects, again, back in the early 1950's.

Those four projects, the documents indicate, the Navy operated solely as a conduit of funds. Two of the remaining programs were Army programs, and there was no human testing. Those programs—the first is described on page 4 of my memorandum, and that was the effort to identify drugs with behavioral effects. This is the Chickwit, or Mkchickwit, program, which was looking to identify developments in Europe or the Far East.

The second was a project to develop a data base for computer use to easily access the large amount of information about various drugs, and Edgewood contributed to the data base that was used by the Agency for its Project Often.

Senator KENNEDY. I guess they had a division between the Agency and the DOD, a matter which we referred to earlier. Also, during the late 1950's, there was a decision by DOD to split off its testing, in terms of LSD, from the CIA, and those are referred to in the Church committee report.

So, I think the significance is that we have seen in the past a division of responsibility and the separations of responsibility, and the absence of coordination. And at least in terms of the most recent times, we have seen a continued division, in terms of responsibility; as late as

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this morning, at least in terms of interpretation about who had the responsibility in these particular areas of Mkchickwit, Search, and Ultra.

What benefits were derived from these programs?

Ms. SIEMER. The blast concussion program that was conducted by the Navy for a year resulted in a 17-page research report, which I am informed was a valuable contribution. That researcher has continued to work in that field, and that is a field that is of substantial use to the military, because it involves the development of protective headgear.

The project to develop data bases for computer access also has a substantial amount of use. As you know, there is a vast amount of data about drugs, and their side effects and direct effects, available, and being able to access that information and retrieve it quickly and efficiently is a useful contribution.

The only other program that was conducted by the services is the program at Edgewood with respect to applying this compound to adhesive substances, and whether that was useful or not would have to come from the Agency. We were successful in doing what they asked us to do, which is developing a way of applying it to the adhesive substance, but whether the use of an adhesive substance is useful, we do not know.

Senator CHAFEE. It seems to me that in some of these experiments, the fact that they are not useful, itself, is helpful. A negative answer can sometimes be of assistance.

The thing that has bothered me a little is, for example, the testing of this EA-3167 that was being done at Edgewood Arsenal, under the Army's direction and without the CIA involvement, at the beginning, anyway, and it seems to me that recordkeeping in this whole business seems to have been haphazard, at best.

Suppose somebody comes along 5 years from now and thinks that there might be something to EA-3167? Are they going to start all over again, or does somebody have a record that shows this was a failure?

Ms. SIEMER. The records available show what the compound is, chemically; show what the results were on dogs, guinea pigs, monkeys, and so on, and so all of the results of that research are available. As to the application—what the Central Intelligence Agency made of whatever was done for this particular application at Edgewood, I do not know what records are available of that.

But, the actual results of dog and monkey and mouse experiments—that is, that the mouse died, or the monkey had particular effects—I believe are available.

Senator CHAFEE. Well, it seems to me fairly important to have this information—you mentioned a retrieval system. It is fairly important, like we just said, that you do not go through this all over again when some bright fellow comes up with the suggestion.

Also, with reference to those two military volunteers that were discussed—now, was that under CIA, or was that under—I was going to say "you," but I will say the Army I am not sure.

Ms. SIEMER. Well, that is the subject of the current discussion, as to whose problem it was. It is my conclusion from the documents that that was a part of the CIA program. I cannot say it any more definitively than Admiral Turner can say it is his conclusion it was a part of a DOD program.

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Senator CHAFEE. Thank you very much.

Senator SCHWEIKER. Based on your survey of the different projects that were done through the Department of Defense, I wonder if you could give us a rough estimate of how many human subjects were used by the Department of Defense in these kinds of experiments over this period.

Now, I am not talking about situations in which the Department of Defense was merely a conduit for the CIA. Obviously, as you point out in your statement to us, DOD served as a conduit in a number of instances. On the other hand, there were some experiments that the Defense Department was responsible for, not as a conduit. Could you give the committee any kind of a rough estimate of the number of human beings that were involved in these kinds of experiments during this period, in experiments that the Department of Defense or one of its branches or subintelligence groups was running?

Ms. SIEMER. Yes; I think, Senator, I could give you some sketchy understanding that I have from the documents. Of these eight programs in which there was some military participation, there are four in which there was human testing, and one in which there was a possibility of human testing.

The first is the Edgewood Arsenal program that we have been talking about, and that is this compound EA-3167. Prior to the Agency's involvement in 1971, there was testing of that compound in a different form and for different purposes at the Holmesburg State Prison in Pennsylvania. The documents indicate that that may have involved from 5 to 12 prisoners; one document says 5, another one says 12.

There was subsequent testing of that compound at the Edgewood laboratories involving military volunteers, and that phase of it may have involved as many as 15 persons.

Senator SCHWEIKER. They were witting?

Ms. SIEMER. Yes; they were, Senator, and that was prior to the Agency's involvement.

The Navy project with respect to synthesis of analogs of certain stimulants—the documents do not indicate that that involved human testing, but it is possible that it did. I am unable to determine whether it did or did not. The relative CIA document indicates that the merits were going to be determined on tests on mice.

The second program conducted by the Navy, which was the identification of a nonaddictive substitute for codeine, was carried out at a Government agency in Kentucky. We do not have any indication of how many persons that was conducted on, but that was a very substantial project. The Central Intelligence Agency spent over $280,000 on that project, and that was an average of between $34,000 and $45,000 a year. So, there may have been a substantial number of people involved in that.

Senator SCHWEIKER. Again, were they witting or unwitting subjects?

Ms. SIEMER. I have no way of telling that. Those records would be available only from the Agency. This is a program in which we—that, the Navy—was only a conduit for the funds.

Senator SCHWEIKER. Is that Dr. Isbell's work that you are talking about?

Ms. SIEMER. Yes; it is.

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The third is the administration of LSD to human subjects. That was begun in 1952 and completed in 1956. Our records indicate that there were six knowing subjects who were a part of the researchers' own staff who were involved in that, and that later on, there were eight subjects who were Soviet defectors who were tested in Europe—I am sorry. That is part of project 5.

On project 4, this was done by CIA, and those are the only facts that we have in our documents.

On the 5th, the Navy project which was development of speech-inducing drugs, there was a test of those drugs on eight Soviet defectors in Europe in 1952, I think—in August or September of 1952—and the test was apparently a failure, because they could not formulate the substance in a way that the defectors could not taste it and, therefore, they could not be kept unwitting of the test.

Senator KENNEDY. Sometimes I think that might have leaked out from over in the Senate, that speech-inducing drug.

Ms. SIEMER. That is it. That is what we know from the documents we have available.

Senator SCHWEIKER. Now, is this work that you have described pretty well confined to programs conducted in connection with the CIA? In other words, my question also directed itself—and I am not sure if I have made it clear—to non-CIA sponsored work. Are you including that in your answer?

Ms. SIEMER. No, I am not, Senator. The non-CIA sponsored work was previously reported to you in 1975, and you have our Inspector General's report on that and that is, so far as we know, a complete report.

Senator SCHWEIKER. OK. Now, in connection with that, a couple of years ago, we were told by the Defense Department that they would make every effort to contact people who had been used as subjects of DOD research. I think there were several thousands of people involved, as I recall, at least well over a 1,000, though I cannot be precise, without checking. The Department was going to make every effort to contact the people who were tested in the program. I realize that you are new on board and were not involved with this initially, so my question may be something you have to report back to us on a little bit later.

Could you update this committee on whether DOD has been successful in contacting former subjects of research? How effective have the Department's efforts to follow up and inform the subjects of those tests been? The witnesses at our previous hearings did, I believe, make that commitment to us.

Ms. SIEMER. I do have a report on that for you, Senator. This report is as of August 22, 1977, which is the date of your original hearings on this subject. As of that date, we had completed medical examinations on 127 of the known participants; 176 had been contacted and had agreed to an examination, but the examination had not yet been scheduled; 146 had been located, but they had not made a decision as yet as to whether to be examined; 22 were deceased, and we were able to find death certificates for 12 of those, but have other information that 22 of them were deceased; 39 refused examination, and 177 we are still working on locating.

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Senator SCHWEIKER. I want to compliment you on your testimony. You certainly have been very direct, specific, and candid with us. It is obvious that you have done your homework and certainly tried to comply with the intent of the committee's request for testimony in areas of our responsibility, and we thank you for that.

Senator CHAFEE. Mr. Chairman, just one other question. About those two military volunteers that were involved in 1973, was there any followup on them, regardless of who was responsible for the experimentation, either DOD or CIA?

Ms. SIEMER. It is my understanding, Senator, that they are included in the followup statistics that I have just given you.

Senator CHAFEE. Now, I just wonder, out of curiosity, would the results of that examination go back into the file at Edgewood, so that the experimentation is then wrapped up and the documentation on the experimentation completed?

Ms. SIEMER. The followup study is being done as a separate study, but the information developed from it can be accessed through computers and other records by researchers. We have privacy problems, and that is, you have to be able to generalize the data, and cannot transmit data about a specific person.

Senator CHAFEE. Thank you. Mr. Chairman, I would like to add my congratulations on the testimony today. You certainly had all the facts.

Senator KENNEDY. Well, all of us are impressed. You obviously have personally taken this—and the Department has—as a matter of very considerable priority and importance, and it is shown by your familiarity with the material and the responsiveness to the questions.

Ms. SIEMER. Thank you, Senator.

[The following material was submitted for the record:]

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