

Eiler, Brian (HHS/PCSBI)

From: Adiga, Mala (SMO) [Mala.Adiga@usdoj.gov]
Sent: Tuesday, June 07, 2011 1:56 PM
To: Eiler, Brian (HHS/PCSBI)
Cc: Francisco, Curtis (JMD); Taylor, Elizabeth G. (SMO)
Subject: Bioethics Commission's Request re Historical Records
Attachments: Federal Offenders 1932-1952.pdf; Medical Research_annualreports (1941-1942).pdf; Federal Offenders 1953-1976.pdf; Finding Aid_RG129.pdf

Hi Brian,

BOP has completed its review of in-house BOP records at its headquarters for the historical requests made by the Commission. Attached are scanned records from BOP's annual reports relating to medical research at BOP facilities covering years 1932-1976. (The second attachment is just three pages that are also within the first attachment; however, they did not scan well in the first attachment, so we included them again in a less blurry version.) These are the only records that reference the medical studies of interest to the Commission that BOP has discovered. BOP does not have any SF-258s relating to a study at the U.S. Penitentiary in Terre Haute, Indiana for 1942-1944. Any information related to this study is likely to be either at NARA or at the agency (whether Public Health Service or some other organization) that initially sponsored the research.

BOP notes that any old administrative records (from the 1930's on) that the BOP Central Office had in the early 1970's were transferred to the National Archives. The records are in Record Group 129, "Central Administrative Records" for 1938-early 1970's. There is also a "Class 4 Files" group of records for 1930-1938. BOP has a "finding aid" (which is also attached) for the collections that can be used to locate records for a certain institution, but then one must search the actual records to see what they contain. On page 16 of the finding aid, there is a category for "Prisoners: Welfare: Medical/Narcotic." The Terre Haute folder for this topic would need to be reviewed to see what the folder contains. The "Finding Aid" is for the old administrative records at the National Archives in College Park, Maryland.

BOP's regional offices (the North Central Regional Office and USP Terre Haute) have verified that they do not have any additional paper records, including any records from the 1944 conference held at Terre Haute, for the period in question.

BOP Director James V. Bennett's papers are housed at the John F. Kennedy Library (which is under NARA's authority) in Cambridge, MA. In addition to Bennett being BOP's Director from 1937-1964, Bennett was widely published as a writer and commentator on public affairs, so his records are extensive.

BOP does not have any records relating to John Cutler or John Mahoney. BOP suggests looking at NARA, in the Bennett papers, in PHS files, or in files at the successor agency to OSRD for papers/records relating to the March 1943 OSRD meeting and the correspondence attached to those minutes.

All of the AG's records you are looking for would no longer be in the Department. All of those would have been legally and physically transferred to the Archival Unit of NARA, in accordance with the appropriate DOJ-submitted/NARA-approved records retention schedules covering AG records. The legal transfer for all AGs' records takes place 15 years after the end of the AG's tenure. Therefore, NARA is now the custodian of those records, and anyone seeking them would have to go directly to NARA, and NARA would assist them in locating the records.

The FBI has not located any records responsive to your historical records requests. We're still waiting on OJP (the Office of Justice Programs) to confirm whether they have located any responsive documents.

Finally, the National Library of Medicine may have records relating to the studies of interest to the Commission.

Thanks Brian. Please let me know if you have any questions, or if there are other pages that are dark or blurry. We can try and get better copies for you.

Mala

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