

Human Experiments

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

1530 P. Street, N. W.

INTER-OFFICE MEMORANDUM

June 23, 1943

TO: Dr. Andrus

FROM: James B. Donovan

SUBJECT: Proposed Human Experimentation

Confirming our conversation concerning the above, I wish to record for future reference the following matters cleared some time ago:

- (1) Public Health officials have agreed to pay the subjects directly; the propriety of this is not, in our judgment, an OSRD matter but should be determined by Public Health as the disbursing agency; and
- (2) I have conferred with Dept. of Justice concerning the applicability of Indiana law to scientific experiments on the grounds of Terra Haute prison (you will recall Dr. Moore's concern re this point); they have agreed with me that the legality of such operations is wholly a matter of Federal law and would not be affected by the laws of Indiana; the matter need not be taken up in any way with Indiana officials.

JBD.

*Resonance 7/1/43
Federal Reserve*

March 6, 43.

*Dr. Bush read this
memo. & approves.*

*The V.D. prophylaxis
studies can go ahead.*

He particularly wishes #7 to be explored as fully as possible.

Conversation of March 5, 1943,
with Dr. J. E. Moore

Dr. Andrus and Dr. Dochez present

1. There are 22 federal prisons, only 4 of which have medical arrangements such as to make the project feasible. Those are Terre Haute, Atlanta, New York State, and Leavenworth.

The possibility of making a transfer of the volunteers from three of these to Terre Haute where the medical facilities are best has been discussed; - objected to by the wardens who lay stress on their personal relations with the prisoners and also on the fact that war production work is going on in all of these prisons and such transfers would presumably interfere with the work progress.

2. I asked Moore whether we could regard it as definitely decided that only federal prisons should be used. He said yes, if enough volunteers could be obtained in them. I said that I thought that it ought not to be left to his discretion to change from federal to state prisons without specific permission from the Director. He agreed. It is therefore to be understood that in the revised proposals, which in the event of Dr. Bush's approval will now be prepared, prisoners in federal prisons will be the only ones to be chosen. ✓

3. The condition that men who have already once had the disease shall be selected for the subjects is not wholly agreeable to Dr. Moore, but he is willing to accept it with the proviso that should it be impossible to find enough volunteers in that group the question may be reopened. ✓

4. In Dr. Bennett's letter compensation of subjects in the order of \$100 each was mentioned. The plan now is not first to study possible oral administration of sulfonamide drugs; rather to study local use of an arsenical. This being so, interference with work should not amount to much provided a system of appointments which shall obviate the necessity of the subjects' waiting can be arranged.

5. It is agreed that the possibility of insuring a subject against harm does not exist. It is understood that the contract itself insures the contractor (university) and the contractor's agents.

6. The possibility of using inmates of the Military U.S. Army Prison at Leavenworth (this is not the same as the federal Leavenworth Prison) or the Public Health Narcotic Farm at Lexington, Ky., was mentioned.

7. I mentioned Dr. Bush's wish that the arrangements for these experiments should be made between the OSRD and the Department

of Justice rather than with universities. The suggestion then developed that inasmuch as the Public Health Service is responsible for the medical care of federal prisoners it might be possible to make the arrangements with the Public Health Service. Dr. Moore is going to talk with Dr. Parran tonight and will telephone me tomorrow. It is certain that the personnel of the Public Health Service is inadequate for this job. It seems possible that temporary commissions for limited service could be issued to the chosen investigators and that the whole thing might then come under the aegis of the Public Health Service.