

DD/A Registry

Medical

DD/A 78-2930/5
13 October 1978

MEMORANDUM FOR: Deputy Director for Administration

FROM:

[Redacted]

STATINTL

Special Assistant/DDA

SUBJECT: Notification of Unwitting Subjects
of Drug Experimentation

REFERENCE: My Memo to You of 26 September 1978;
Subj: Drug Experimentation - the Problem
(DD/A 78-2930/4)

1. This memorandum is an extension and, to some degree, an elaboration of my earlier memorandum (Reference). Because it is clear that we are going to have to notify some MKULTRA subjects, I have started some preparatory and preliminary actions. These actions, however, cannot be completed until we have further guidance.

2. I have reviewed summaries of the [Redacted] MKULTRA projects prepared by OTS and the IG (the "Blue" book and the "White" book) and the categorization of those projects prepared by the Office of the General Counsel and separated the files on all subprojects where human testing appears to have been involved. Each of these files has been reviewed with some care and a separate summary sheet prepared for each suggesting what action needs to be taken. As a means of moving forward, I have started to prepare correspondence to implement those actions subject to your agreement and that of the General Counsel. Copies of drafts of those prepared so far are attached for your review. I suggest we add these to the agenda for discussion with Mr. Lapham whenever we meet.

STAT

3. Some of the attached drafts are self-explanatory, but a couple require comment.

a. The draft letter to Secretary Califano is offered with the idea that it might be used as a conversation piece if you elect to go to HEW; you might take the letter along in draft to find out how he would react to receiving it. Before you go, however, we need to agree whether we want to turn the whole project over to HEW, or ask them to respond to specific tasking. At the moment, the only

specific task we might give them is the list of drugs for evaluation. Perhaps we should go direct to the Food and Drug Administration for that, although we can probably expect an "it depends" answer - it depends on dosage, frequency, duration, etc. Perhaps we should go to the Public Health Service if we want to request intercession in dealing with institutions and researchers. Perhaps we should go to Califano for political reasons, a show of good faith, or whatever, to pacify the Congress. The draft will serve as a point of departure for discussion of these questions.

b. The draft letter to the Drug Enforcement Administration is offered for the same reason, i.e. a point of departure for discussion. In my earlier memorandum I suggested we do virtually nothing about seeking subjects of drug testing [redacted]

STAT
STAT

[redacted] This draft is intended to imply that DEA may have a responsibility parallel to ours. The opinion of the Attorney General says the Government has a duty to inform people whom it may have caused harm. DEA is an agency of the Government too, and perhaps should share the responsibility [redacted] Exactly what took place [redacted] has never been established in non-fiction. The only possibility of learning more about it is to interview former (or present) Bureau of Narcotics Agents and former (or present) CIA employees. We need to consider whether CIA should interview Bureau of Narcotics people; whether we should ask them to do it; or whether interviewing should be done jointly by both agencies. The same questions apply to CIA people, and lead to the further question of whether we want Bureau of Narcotics people to participate in interviews of former CIA people. It seems to me it has to be a joint operation if it is done at all.

4. While the content of other drafts attached is self-explanatory, they do raise procedural questions that need to be discussed and answered.

a. Is a Memorandum for the Record sufficient to close out a case.

b. The MFR about subproject 125 passes judgment about the effects of drugs. [redacted] in OMS has reviewed the memo and the file in this case and will sign a concurrence when it is put in final form. Is this sufficient?

Should OGC or anyone else be asked to concur?

c. Who should sign letters to institutions such as the one to the University of Oklahoma and who should concur - OGC; OMS; DDA; Mr. Hetu?

5. Other cases for which there are no samples attached will require collection of additional information. Institutions, in some cases have denied knowledge, but researchers were witting. Do we write to the researchers if we can locate them, to request information by return letter or do we request interview? If interviewing is to be done, who does it - [redacted]

STAT
SIAI

[redacted] the undersigned or a Task Force member? Some cases may suggest that former employees be interviewed, and the same questions apply. We need to consider also how far afield we travel; some retirees reside in foreign countries, for example.

STAT

6. Perhaps this memo should be added to the earlier one as an agenda for the meeting with OGC. I have sent a copy to Mr. Lapham with that in mind.

[redacted]

STAT

Att

cc: Mr. Lapham w/att

Distribution:

- Orig - DDA w/att
- 1 - GC w/att
- 1 - DDA Chrono
- ✓ 1 - DDA Subject
- 1 - RHW Chrono

DA;se 13 October 1978