

# **EXHIBIT C**

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

21 SEPT 77

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

6 Senator Kennedy. What was that one? Can you tell us?

7 Ms. Siemer. That appears on page five of my report to  
8 the Secretary, and it is a project that began in 1971, was  
9 terminated in 1973, and was part of OFTEN, or MKOFTEN. Apparent-  
10 ly, what happened here is that the Edgewood Arsenal Research  
11 Laboratories were testing a number of compounds prior to the  
12 time that the Central Intelligence Agency had any interest in  
13 these compounds.

14 They tested the compounds both on animals and in human  
15 testing, and the human testing has been reported to you pre-  
16 viously. In 1971, the Central Intelligence Agency apparently  
17 reviewed Edgewood's work in connection iwth their project OFTEN  
18 to identify any part of Edgewood's work that might be useful for  
19 that project, or useful for the purposes that they had in mind,  
20 which were apparently different than the purposes for which  
21 Edgewood had initially done the testing.

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

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

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

13 They tested it primarily on animals and, indeed, the in-  
14 dications are that all of the results that were reported to the  
15 Agency were testing on animals; primarily, I think, on mice.  
16 The funding for this was planned to be terminated in January of  
17 1973. The funding apparently was not terminated until June of  
18 1973.

19 The testing about which you asked Admiral Turner occurred  
20 sometime in June of 1973. It is our conclusion from the docu-  
21 ments available to us, and from the people available to us,  
22 that the testing on that particular compound, in June of 1973,  
23 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

1 IT WAS NOT. THE REASON I RECALL THIS COMPOUND  
2 had completed its testing of this compound and had no further  
3 interest in it at the time that the Agency asked Edgewood to  
4 take it up again in 1971. When the Agency asked Edgewood to  
5 take it up again, they did, they did a certain of testing and  
6 that testing was completed in June of 1973, when the funding  
7 from the Agency was completed.

8 There are, I think, five documents relevant to this, which  
9 your staff has been provided by the Agency. First, is a CIA  
10 document dated May 29, 1973, which is a memorandum for the  
11 director of research and development. The second is an undated  
12 CIA document entitled, "Influencing Human Behavior". The third  
13 is a CIA document dated February 12, 1975, which is a memorandum  
14 for the record and a trip report to Edgewood to interview people  
15 with respect to what that program involved. The fourth is a  
16 CIA document dated February 17, 1971, which, again, is a memo-  
17 randum for the director of research and development.

18 Those are the documents that we have; those are the docu-  
19 ments that the Agency has, and that is what we know about that  
20 program.

21 Senator Kennedy. Well, that is very helpful. I gather  
22 from what you say that the interest of the Department -- DOD  
23 had terminated prior to the actual testing that was done.

24 Ms. Siemer. That appears to be the case. This compound  
25 was one of a large number of compounds that were surveyed by

2 Edgewood's survey, identified this compound as of particular  
3 interest to their purpose, and asked that further work be done.  
4 Senator Schweiker. There was a destruction of Agency  
5 documents about January of 1973. Is there any indication that  
6 significant documents might have been destroyed from this  
7 project with the group that was destroyed around that period of  
8 time?

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

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

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

20 Ms. Siemer. Yes, Senator, and that is the experiment that  
21 Senator Schweiker referred to with respect to blast concussion.  
22 The navy had some interest in that project because they have an  
23 ongoing study of head gear and protective head gear.

24 The project began in October, 1954, and it was a theoreti-  
25 cal, physical study intended to use fluid-filled flasks and

1 dynamite to see what happened to the fluid in the flask when the  
2 impact from the blast hit them. That work was funded by the  
3 Agency, and when the contractor came in with a follow-on pro-  
4 posal, the Agency's documents indicate that they decided to  
5 terminate the navy's involvement in that program because they  
6 doubted the navy's capability to maintain the security of the  
7 program.

8 Senator Schweiker. Do the documents show how long after  
9 the navy termination that the CIA carried on, or not?

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

15 Senator Kennedy. That means, basically, they did not  
16 trust them?

17 Ms. Siemer. I would hope that they would trust the navy,  
18 but apparently what it involved was -- the CIA's document says  
19 that this work would involve human experiments of a type not  
20 easily justifiable on medical or therapeutic grounds. They  
21 also noted that they would have to clear a number of navy  
22 personnel; a number of navy personnel would have to know that  
23 this work was going on. They did not want to do that.

24 Senator Kennedy. What year was that?

25 Ms. Siemer. That was in 1956.

1 Senator Kennedy. I see.

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

8 Senator Kennedy. We have been over, in '75, the Department  
9 of Defense's programs in very considerable detail. Could you  
10 briefly describe the kinds of research projects that were of  
11 interest to the DOD over the recent periods of time, and the  
12 significant results of any that the Department of Defense  
13 derived from any of these programs?

14 Ms. Siemer. Yes, Senator. The program that I described  
15 at Edgewood, which terminated in 1973, is really the only sig-  
16 nificant recent program that was conducted, using military  
17 facilities. And as I said, that program was successful in the  
18 sense that the army developed what the Agency asked them to  
19 develop, and they were successful in doing what the Agency  
20 asked them to do. Whether that constitutes a project, or  
21 constitutes a contribution, I do not know.

22 The remaining programs, as you can see -- four of them  
23 were terminated in the early 1950's or 1960's, and those are  
24 four navy programs, and those programs are primarily where the  
25 navy acted as a conduit for Central Intelligence Agency funds.

1 Let me just review those briefly for you.

2       There were four programs in which our records indicate  
3 that the navy operated solely as a channel for funds to outside  
4 contractors. Those are the programs described in my memorandum,  
5 the first of which is a synthesis of analogues of certain kinds  
6 of stimulants. The second is the identification of a non-  
7 addictive substitute for codeine. The third is the blast con-  
8 cussion project which I have just discussed, and the fourth is  
9 the administration of LSD to human subjects, again, back in the  
10 early 50's.

11       Those four projects, the documents indicate, the navy  
12 operated solely as a conduit of funds. Two of the remaining  
13 programs were army programs, and there was no human testing.  
14 Those programs -- the first is described on page four of my  
15 memorandum, and that was the effort to identify a drug with  
16 behavioral effects. This is the CHICKWIT, or MKCHICKWIT, pro-  
17 gram, which was looking to identify developments in Europe or  
18 the Far East.

19       The second was a project to develop a data base for com-  
20 puter use to easily access the large amount of information  
21 about various drugs, and Edgewood contributed to the data base  
22 that was used by the Agency for its project OFTEN.

23       Senator Kennedy. I guess they had a division between the  
24 Agency and the DOD, a matter which we referred to earlier.  
25 Also, during the late 50's, there was a decision by DOD to spl



1 off its testing, in terms of LSD, from the CIA, and those  
2 referred to in the Church Committee Report.

3 So, I think the significance is that we have seen in the  
4 past a division of responsibility and the separations of  
5 responsibility, and the absence of coordination. And at least  
6 in terms of the most recent times, we have seen a continued  
7 division, in terms of responsibility; as late as this morning,  
8 at least in terms of interpretation about who had the res-  
9 ponsibility in these particular areas of MKCHICKWIT, SEARCH,  
10 and ULTRA.

11 What benefits were derived from these programs?

12 Ms. Siemer. The blast concussion program that was con-  
13 ducted by the navy for a year resulted in a 17-page research  
14 report, which I am informed was a valuable contribution. That  
15 researcher has continued to work in that field, and that is a  
16 field that is of substantial use to the military, because it  
17 involves the development of protective head gear.

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

24 The only other program that was conducted by the services  
25 is the program at Edgewood with respect to applying this

2 or not would have to come from the Agency. We were successful  
3 in doing what they asked us to do, which is developing a way  
4 of applying it to the adhesive substance, but whether the use  
5 of an adhesive substance is useful, we do not know.

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

9 The thing that has bothered me a little bit here is, you  
10 take this testing of this EA-3167 that was being done at  
11 Edgewood Arsenal, under the army's direction and without the  
12 CIA involvement, at the start, anyway, and it seems to me that  
13 record-keeping in this whole business seems to be haphazard,  
14 at best.

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

19 Ms. Siemer. The records available show what the compound  
20 is, chemically; show what the results were on dogs, guinea pigs,  
21 monkeys, and so on, and so all of the results of that research  
22 are available. As to the application -- what the Central  
23 Intelligence Agency made of whatever was done for this particu-  
24 lar application at Edgewood, I do not know what records are  
25 available of that.

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

4 Senator Chafee. Well, it seemed to me fairly important  
5 to have -- you mentioned a retrieval system, and it is fairly  
6 important, like we just said, that you do not go through this  
7 all over again when some bright fellow thinks up the suggestion.

8 Also, the effects of those two military volunteers that  
9 were discussed -- now, is that under CIA, or is that under --  
10 I was going to say "you", but I will say the army. I am not  
11 sure.

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

17 Senator Chafee. Thank you very much.

18 Senator Schweiker. In your survey of the different pro-  
19 jects that were done through the Department of Defense, I  
20 wonder if you could give us a rough estimate of how many human  
21 subjects were used by the Department of Defense in this kind  
22 of experiment over this period.

23 Now, I am not talking about where the Department of Defense  
24 was a conduit for the CIA. Obviously, they were, and you point  
25 that out in your statement to us, that they were a conduit in a



1 number of instances. On the other hand, there were some in  
2 which they were not. I wonder if you could give the Committee  
3 any kind of a rough estimate of the number of human beings that  
4 were involved in these kinds of experiments during this period  
5 that the Department of Defense or one of its sub-intelligence  
6 groups were running.

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

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

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

22 Senator Schweiker. They were witting, are you saying?

23 Ms. Siemer. Yes, they were, Senator, and that was prior  
24 to the Agency's involvement.  

25 The navy project with respect to synthesis of analogues

1 of certain stimulants -- the documents do not indicate that that  
2 involved human testing, but it is possible that it did. I am  
3 unable to determine whether it did or did not. The relative  
4 CIA document indicates that the merits were going to be deter-  
5 mined on tests on mice.

6 The second program conducted by the navy, which was the  
7 identification of a non-addictive substitute for codeine, was  
8 carried out at a government agency in Kentucky. We do not have  
9 any indication of how many persons that was conducted on, but  
10 that was a very substantial project. The Central Intelligence  
11 Agency spent over \$280,000 on that project, and that was an  
12 average of between 34 and \$45,000 a year. So, there may have  
13 been a substantial number of people involved in that.

14 Senator Schweiker. Again, witting or unwitting?

15 Ms. Siemer. I have no way of telling that. Those records  
16 would be available only from the Agency. This is a program in  
17 which we -- that, the navy -- was only a conduit for the  
18 funds.

19 Senator Schweiker. Is that Dr. Isabel's work that you are  
20 talking about?

21 Ms. Siemer. Yes, it is.

22 The third is the administration of LSD to human subjects.  
23 That was begun in 1952 and completed in 1956. Our records  
24 indicate that there were six knowing subjects who were a part  
25 of the researchers' own staff who were involved in that, and

1 that later on, there were eight subjects who were Soviet defec-  
2 tors who were tested in Europe -- I am sorry. That is part of  
3 project five.

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

6 On the fifth, the navy project which was development of  
7 speech-inducing drugs, there was a test of those drugs on eight  
8 Soviet defectors in Europe in 1952, I think -- in August or  
9 September of 1952 -- and the test was apparently a failure,  
10 because they could not formulate the substance in a way that the  
11 defectors could not taste it and, therefore, they could not be  
12 kept unwitting of the test.

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

15 Ms. Siemer. That is it. That is what we know from the  
16 documents we have available.

17 Senator Schweiker. Now, is this work that you have de-  
18 scribed pretty well in relationship to the CIA? In other words,  
19 my question also directed itself -- and I am not clear if I have  
20 made it clear -- to non-CIA sponsored work. Are you including  
21 that in your answer?

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

1 Senator Schweiker. Okay. Now, in connection with that,  
2 a couple of years ago, we were told by the Defense Department  
3 that they would make every effort to -- I think there were  
4 several thousands of people involved, as I recall, though I am  
5 not clear without checking -- that they would make every effort  
6 to contact the people who were tested in the program. And I  
7 realize that you were not connected with that initially, and are  
8 new on board, so my question may be something you can give us  
9 a little bit later.

10 I wonder if you would just update this Committee on whether  
11 they have been successful, or how effectively they have followed  
12 up on informing the recipients of those tests over this period,  
13 because they did, I believe, make that commitment to us.

14 Ms. Siemer. I do have a report on that for you, Senator.  
15 This report is as of August 22nd, 1977, which is the date of  
16 your original hearings on this subject. As of that date, we had  
17 completed medical examination on 127 of the known participants.  
18 176 had been contacted and had agreed to an examination, but  
19 the examination had not yet been scheduled. 146 had been  
20 located, but they had not made a decision as yet as to whether  
21 to be examined. 22 were deceased, and we were able to find  
22 death certificates for 12 of those, but have other information  
23 that 22 of them were deceased. 39 refused examination, and 177  
24 we are still working on locating.

25 Senator Schweiker. I want to compliment you on your

1 testimony. You certainly have been very candid with us, and  
2 also very direct and very specific. It is obvious that you have  
3 done your homework and certainly tried to meet the intent of  
4 the Committee's responsibility, and we thank you for that.

5 Senator Chafee. Mr. Chairman, just one other question.  
6 About those two military volunteers that were there in '73, was  
7 there any follow-up on them, regardless of who was responsible  
8 for the experimentation, either DOD or CIA?

9 Ms. Siemer. It is my understanding, Senator, that they  
10 are included in the follow-up statistics that I have just given  
11 you.

12 Senator Chafee. Now, I just wonder, out of curiosity,  
13 the results of that examination would go back into the file at  
14 Edgewood, so that the experimentation is then wrapped up -- the  
15 documentation on the experimentation?

16 Ms. Siemer. The follow-up study is being done as a  
17 separate study, but the information developed from it can be  
18 accessed through computer and other records by researchers. We  
19 have privacy problems, and that is, you have to be able to  
20 generalize the data, and cannot transmit data about a specific  
21 person.

22 Senator Chafee. Thank you. Mr. Chairman, I would like to  
23 join in congratulations to the testimony today. You certainly  
24 had all the facts.

25 Senator Kennedy. Well, all of us are impressed. You



1 obviously have personally taken this -- and the Department  
2 has -- as a matter of very considerable priority and importance,  
3 and it shown by your familiarity with the material and the  
4 responsiveness to the questions.

5 Ms. Siemer. Thank you, Senator.

6 Senator Kennedy. We appreciate your testimony. We will  
7 try and work, without taking a lot more of your time -- I am  
8 sure you have very many important things -- just to try and  
9 resolve the basic kinds of conflicts, so that in our report,  
10 we are able, to the extent that we can, to put some of these  
11 matters to rest.

12 You have been very, very responsive and very helpful to  
13 the Committee, and we appreciate your presence here.

14 Senator Chafee. Maintaining the high standards of the  
15 Department of Defense.

16 Senator Kennedy. We will recess and gather in the anteroom  
17 in order to hear from Dr. Gottlieb.

18 (Whereupon, a brief recess was taken.)  
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