

John C. Cutler at the University of Pittsburgh

Susan Reverby's article on John Cutler's Guatemalan syphilis experiments made headlines around the world. This paper will begin the story of how this came about and give some background on how these papers came to be in the University of Pittsburgh Archives.

Ten years after the now infamous Guatemala syphilis experiments were over, John C. Cutler was appointed as an adjunct professor to the fairly new Graduate School of Public Health at the University of Pittsburgh. That appointment, in 1957, was made by Thomas Parran who was Dean of the School but newly arrived from his previous position as Surgeon General of the United States. Cutler left after two years to become the assistant and then deputy director of the Pan American Sanitary Bureau. He came back to the University in 1967 as a professor and remained there until his retirement in 1985. His publication record and other activities while at the University reflect a fairly ordinary academic career that was centered on venereal disease prophylaxis but also included population studies, occupational health and other public health issues. He was involved with many local, national and international public health organizations during his tenure.

There is no information in any of the case file documents that explain why the records from the Guatemalan experiments remained in Cutler's possession after the study was terminated and his position with the Public Health Service ended. In 1989 he met with the Head of Archives and the Archives Assistant of the University to discuss the transfer of this collection and the terms under which the Archives would provide access. Recognizing that these were controversial, Cutler and the Archivists agreed that access would be restricted and a permission form was drafted that required that the patron be a 'serious researcher' and that either Cutler himself or the Dean of the Graduate School of Public Health approve any access to the collection. He did not donate any other of his papers to the University Archives, only those related to the Guatemalan study.

Perhaps the bigger question is why did the Head of Archives agree to take them? There is no clear answer to that in the case file. The file reveals that the Archives Assistant was handling the details of the transfer and asked the Head if we took clinical records. There is no response noted in the file and we currently do not take clinical records but one assumes the answer in this instance was yes. One can suppose that the archivists didn't know that they were federal records and thought they belonged to Cutler since it was he who carried out this project. But, based on my experience with the collections in the University Archives since I arrived in 1999, I think the likeliest explanation is that at that time the Archives took in almost everything that came along. The Head had been there since Archives' inception in 1968. There was a vague

collection policy and a very general mission statement. This collection looked to the archivists like faculty research files from an emeritus professor. Then, unlike now, collections were accepted by the archivists with no other oversight. Presently, the Dean of Libraries, with input from others as appropriate, signs off on any donations to the Archives that are anything other than routine administrative files from University Offices.

The case file indicates that the collection was accessioned in 1990 but the final transfer and arrangements for access were finished in 1994 and totaled 5 linear feet. Once the transfer of the papers was complete the Assistant processed them in the standard way that collections were handled at that time. It was minimally processed, the National Union Catalog of Manuscript Collections form was sent in and sometime in the late 1990's a MARC record was created and entered into OCLC. So while this collection was not widely known, from that moment on, the Cutler Papers were not any more hidden than most other collections at our Archives. That changed somewhat in 1999 when there was a large turnover in the staff of the Archives and policies for acquisition, appraisal and processing were being updated. In 2000 the collection was reprocessed, a new finding aid was created and in 2002 that finding aid was encoded.

In April of 2003, Dr. Susan Reverby arrived at the Archives to consult Thomas Parran's Papers for her book, *Examining Tuskegee: the Infamous Syphilis Study and Its Legacy* (University of North Carolina Press, 2009). It was during this research that she discovered John C. Cutler was a former "Tuskegee Doctor", one that Parran knew of through correspondence but was not well acquainted with. While Dr. Reverby was in Pittsburgh we sought permission from the Dean of the Graduate School of Public Health for her to access the Cutler Papers since John Cutler had died just two months earlier in February 2003. Dr. Reverby returned in June of 2009 to study the collection in earnest and began writing the article *Normal Exposure and Inoculation Syphilis: a PHS "Tuskegee" Doctor in Guatemala, 1946-48*. Sometime in the summer of 2010 she notified us that her paper was going to be published. She also indicated to us that she had shared information about the Cutler papers with David Sencer (a previous director of the CDC) and that Sencer had forwarded the information to the CDC. The article was scheduled to be published in the October issue of the *Journal of Policy History*. There was a delay of a few months and ultimately it was published in January of 2011.

That notification put into motion the events that are covered in detail in other papers. Among the challenges facing the University was first to establish how the Archives came to possess a collection that Dr. Cutler did not own or have the right to donate, second to determine how to properly establish ownership so that the records could be transferred to the proper agency and finally to try to ensure that these records now made public would continue to be open to qualified researchers within acceptable guidelines. Personnel from the federal government, of

course, had to make the assessment on ownership but they eventually confirmed what we at that point assumed which is that these were federal records. On August 5, 2010, Dr. John M. Douglas, Director of the CDC's Division of STD Prevention came to Pittsburgh to examine the papers. At his request, we photocopied all of the reports, correspondence and records in the collection so that additional evaluation could be done at their offices. On August 10th the papers were shipped to the CDC in Atlanta.

From that point on we waited to see how the news about the article and this research would unfold. It was decided that all questions coming to us would be directed to the information office at the Graduate School of Public Health. By the time the article came out, the University was prepared for a media storm. Ultimately much of the media attention was directed at the federal agency now in possession of the papers as well many other government offices that were responsible for answering the difficult questions of why this study was ever done.

Due to the changes in our policies I believe that it would be difficult if not impossible for such a collection to be added now. Our present deed of gift, developed by University Counsel prior to this incident, has language regarding ownership as follows:

“Donor represents and warrants that he/she is the sole owner of the Collection and has full right, title and interest to make the donation to the University. Donor further represents that his/her ownership interests in the Collection are free and clear of any claims, judgments, liens or other encumbrances of any kind whatsoever and that there has been no prior pledge, option or gift of any part thereof to any other person”

As mentioned previously, we do not accept clinical records. Our present collection and appraisal policies make it more likely that when we identify these kinds of records within already accepted collections, we deal with them appropriately.

SAA #107 “From Hidden Collection to International Incident: The John Cutler Papers and the Guatemala Syphilis Experiments”