

William Winkenwerder, Jr., MD
Assistant Secretary of Defense for Health Affairs
United States Department of Defense
The Pentagon
Washington, DC 20301-1200

November 16, 2005

Dear Dr. Winkenwerder,

The American College of Physicians (ACP), the nation's largest medical-specialty organization and second-largest physician group, represents over 119,000 internal medicine physicians, related subspecialists, medical students, residents and fellows. Mindful of our many military physician members and of every physician's ethical obligation to advocate for the health and human rights of all people, we are writing to comment on the *Medical Program Principles and Procedures for the Protection and Treatment of Detainees in the Custody of the Armed Forces of the United States (Principles)*.

While we commend your efforts to provide guidance on the appropriate conduct of medical personnel working with prisoners and detainees, we are concerned about the distinction the *Principles* draw between those who have a provider-patient treatment relationship and those engaged in non-treatment activities. This distinction leaves open the possibility for physician involvement in interrogations, which is inconsistent with ACP policy regarding the physician's role as healer and promoter of health and human rights. Our *Ethics Manual* (<http://www.acponline.org/ethics/ethicman5th.htm#govt>) specifically states "Under no circumstances is it ethical for a physician to be used as an instrument of government to weaken the physical or mental resistance of a human being." Our *Ethics Manual* and position statements condemn interrogation techniques that inflict physical or psychological harm as a means of obtaining information. These ethical principles apply to physicians regardless of whether the context is a professional provider-patient treatment relationship or otherwise and they would preclude the sharing of confidential information gained through any treatment relationship to facilitate the interrogation process.

We respectfully request that in revising the *Principles* the DOD eliminate the distinction between physicians who have a provider-patient treatment relationship and those engaged in non-treatment activities. Doing so will ensure that military physicians, regardless of assignment, can remain faithful to their ethical obligations as healers and advocates for health and human rights.

Sincerely,

C. Anderson Hedberg, MD, FACP
President