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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 3, 1994

PRESS BRIEFING
BY
MARK GEARAN

The Briefing Room

5:50 P.M. EST

MR. GEARAN: We've just concluded what I think was a very good and productive meeting. It was convened here in the White House with various departments and agencies of the government, as well as senior staff and senior White House staff here. Assistant Secretaries and senior staff of several of the departments came here at the invitation of the White House to discuss this issue of radiation that's been raised in recent weeks. We met for more than an hour over in the Old Executive Office Building.

There are several things that came out of the meeting in terms of where we go from here. I would have to tell you, this is the first step, this is the first meeting in terms of an interagency group that we have had. I suspect there will be many more. Already we have -- I'll go through -- there have been different committees and subgroups suggested and recommended. A meeting of this particular group is planned for next week as well. So there's a great deal yet to be done, but I think, on balance, this was a very good start to a very complex and important issue.

Fundamentally, the White House has established an interagency working group that will deal with this. The officials that will be comprised of this -- the principals, that is, are the following members of the Cabinet: Secretary of Energy O'Leary; Secretary Shalala; Secretary Aspin; Attorney General Reno; Secretary Jesse Brown; OMB Director Panetta; and the NASA Administrator Dan Goldin in addition to the senior White House staff that will be participating in it.

The meeting was called, obviously, after reports and the activity and the actions of our Secretary of Energy O'Leary to follow up ultimately to a report first issued in 1986 by Congressman Ed Markey of Massachusetts, who posed three questions to the Department of Energy at that time in terms of some of the research and the work that they did in his subcommittee work: Number one, what was the extent of experimentation; number two, what was the medical follow-up to this experimentation; and third, what compensation might be appropriate.

The written responses that he received from the officials at that time seemed to be, to us, inadequate. Two administrations have failed to answer these questions. And we intend to step up to the plate and to do our very best to get to the bottom of the facts at hand and to get as much information as we possibly can about these issues.

Let me go through a bit about some of the other subgroups that were established to give you a sense of the scope of the administration activity. Number one, a group was put together by our Cabinet secretary, Christine Varney, on the outreach that's going on in the agencies. Various departments reported at the meeting about what the status is of their information retrieval and their ongoing activities. The 800 numbers that Secretary O'Leary had

MORE

spoken of are replicated in some of the other agencies. We want to coordinate that so that there would be consistent information retrieved, frequently from callers into the lines, and that information would indeed be shared across agencies.

Secondly, one of the principal activities of this interagency group is to coordinate the retrieval of information which is on all of the government-sponsored radiation on humans that were conducted since the '40s. This will be done on an agency-by-agency basis. Each agency will look at, and have already begun to start that process in many instances, of retrieving the kind of information so that all that can be retrieved into, so we can then assess where we go from there.

Thirdly, in addition to those retrieval efforts, there will be an important congressional piece to this. As I mentioned, Congressman Markey has really been in the forefront of this, and others as well. We want to work with the Congress as we begin to keep them informed and apprised and to seek their counsel on our activities. And finally then, the various legal counsels in all of the departments will be coordinated in a legal committee.

So that is a quick readout. As I said, each agency gave a report of where they stand, where they're going from here. I would have to tell you right at the outset this is the first -- it's preliminary. A lot of the questions you might have may go unanswered at this point. There are some questions that are premature in terms of what information we have, what we don't have.

I think, though, in summation, what you have is, the President, who urged certainly in the campaign and through an executive order, opened this in government to get information out, to have the kind of government that is open and responsive to the people that sent us here. Secretary O'Leary has followed up with tremendous distinction and with the full support of the President, as he remarked upon when he was in South Carolina. We have other members of the Cabinet now that are earnestly trying to retrieve the same kind of information within their jurisdictions.

Q Can you determine through any of the material that you've received why these people were not informed, why it was conducted in such a heinous way -- that the experimentation on the children, allegedly, and pregnant women, and who else -- was there any reason given for the total secrecy?

MR. GEARAN: No, there's not a real reason that I can give to you. There are some instances where some consent was apparently given -- asked for and given. How specific that was and how detailed that was is an open question at this point. That's the kind of thing that this whole retrieval initiative that we're starting will seek to determine.

Q How long is it going to take you to try to gather all this? And when will you have an idea of how much this administration would be willing to spend on compensation?

MR. GEARAN: Well, as the Secretary has said previously -- and the President certainly has supported that -- if it is determined that the American people were wronged, we would have to consider what appropriate compensation and assistance would be. We would work with the Congress on that and consult with them on what that would be.

The time line, I wish I could give you a very speedy time line. We are working with all deliberate speed on this since this first came to the fore, and we have convened this meeting the first day back here. Now we're trying to decentralize the kind of information so it's done very quickly and rapidly. I think by next

week's time we might have preliminary reports along the way, now that, for instance, the Department of Defense or HHS and the Attorney General -- all the kind of Cabinet members are going back to their departments to seek the kind of information they need.

Q Will the CIA be a part of this? And if so, why wasn't CIA here today?

MR. GEARAN: Well, the National Security Council was at the meeting today, and they will be working with the CIA, should that be appropriate.

Q Will the CIA be involved in full disclosure if it's determined, as it was in the '75 study, that they indeed were sponsors of human radiation experiments?

MR. GEARAN: I think we have to determine what kind of involvement that is. That's why we had the National Security Council there. And the next step in terms of the CIA -- we'd have to see how that proceeds.

Q Congressman Markey, on that point, has said he has been assured by the White House in meetings with Phil Lader and Christine Varney that the CIA's cooperation will be sought on this.

MR. GEARAN: I don't mean to be vague. I think my point is in terms of today's meeting and today's participation. And I was at the meeting as well with the Congressman -- that the National Security Council -- it's deemed appropriate that Christine has been in touch with to ensure their participation at today's meeting. They will now be -- a lot of what's going on obviously is we have to now go back to the various departments and agencies. They're putting together the kind of protocol that would be required to seek and retrieve the information we need in order to make some best judgments.

Q So we shouldn't interpret from what's happened that the CIA gets a pass on some of this because it's a black agency?

MR. GEARAN: No, I think you should interpret that the presence of the National Security Council will ensure that this government is committed to the kind of openness that I think you've seen in the past few weeks.

Q Does the presence of the Attorney General in this indicate that you're looking at a possible criminal liability?

MR. GEARAN: Well, I think there's a whole range of legal issues that are involved, obviously, and the Attorney General will be a key player. She's a principal on the committee, as I mentioned. They are looking at the whole range of legal issues that are involved. I think it's premature at this point to determine where we go from here.

Q Are you willing to pursue that if there's --

MR. GEARAN: At this point, I think we're -- what's most accurate now for me to relate to you certainly is we're at the stage now where it would be premature to say what kind of actions, what the end game necessarily is. What I think I can report to you on is the kind of openness that you've seen, that we're committed to getting to the bottom of it, to getting the kind of information, and then to make the best and most reasonable, informed judgment on where we proceed from there.

Q I realize the nature focus is on Americans, but if there is any evidence that foreigners were victimized in this way, can they get compensation such as in the Agent Orange situation?

MR. GEARAN: I think, again, that would be a topic of the interagency working group.

Q Is there any evidence at this point that perhaps any prisoners of war or something --

MR. GEARAN: I don't know the answer to that. Not that I'm aware of.

Q What was inadequate about previous response, the previous administrations? I mean, where did they fall short? You said it was inadequate.

MR. GEARAN: Nothing was followed up on.

Q Nothing at all? Nothing was done?

MR. GEARAN: Not that any of us are aware of.

Q Was Secretary O'Leary acting on her own when she suggested the compensation? Is there any concern about this turning into a multibillion-dollar --

MR. GEARAN: No. I think, if anything, I would like to make it quite clear that the Secretary has been in very close contact with the White House. A lot of her efforts on documents within the department have grown out of this, and officials are here from DOE -- Mike Gaulden and Tara O'Toole are here from the department to visit with you.

But the history of this in terms of the White House is a good example of the kind of coordination between the department and the White House. The President reiterated that in South Carolina. The Secretary's comments in terms of compensation -- I think she spoke of personally -- we can get you the exact quote of how she phrased it, but what we have said continually, what other White House officials have said is that, similar to what the Secretary said; indeed, if Americans have been -- if we realize and figure out that they were wronged, that we would have to consider the kind of compensation and assistance that would be appropriate.

Q Is there any doubt at this point that some Americans were wronged?

MR. GEARAN: I think, given where we are right now in terms of putting together this group -- departments are going back, they're writing letters to contractors, they're doing the kinds of things to retrieve the information that you would have -- it would be premature for me to make that kind of judgment.

Q But haven't some of the studies suggested, or more than suggested, stated flat out -- Markey's report of a couple of years ago said flat out they were wronged?

MR. GEARAN: Congressman Markey's study is an important one, one we take very seriously. But in terms of exact kind of judgment calls, I think we find the information to date is very troubling and the Secretary has been quite clear on this.

Q Did she get the President's permission --

Q -- get a handle of whether there are hundreds or thousands of victims that you're talking about right now?

MR. GEARAN: We don't have any best judgment on that. I think the Congressman's report had 695. But I --

Q He said possibly thousands.

MR. GEARAN: Yes. As I said, in 1986, the Markey report, which only did the Department of Energy, as I understand it, had 695 suggested individuals. If you broaden this beyond that -- we're not able to give you that.

Q How do you view the scope of this group? Is it going to go out and take testimony from victims? Is it going to have any public hearings? Where do you see it actually going?

MR. GEARAN: Well, the first step is the retrieval of this information and where we -- to get the kind of scope of what's involved. And I don't know -- feel free to jump in on how they're going to do that. Each agency has some initial thoughts of this. What we want to do is ensure that this retrieval is a coordinated activity so that the kinds of questions that are asked, so that the information that is sought by various individuals is consistent and that we get it back in a way that's most responsive.

You have to observe that each department and each agency has certain nuances that are different in terms of contractors, in terms of research, in terms of -- the Veterans Administration, for instance, has 172 hospitals. How they retrieve that information is vastly different from the Department of Defense.

Q You don't view a public role for this interagency group at some point?

MR. GEARAN: That was not covered at this meeting. I would think it would be something that the principals at the meeting would want to consider.

Q Because it's such a high level group, will any of these meetings be open?

MR. GEARAN: We did not review that at the meeting. I think what we want to report to you today is that we're hard at work at this and earnestly trying to get about the business of getting to the bottom of it.

Q Is there any consideration being given to other forms of human experimentation other than radiological? For example, biological warfare defense, chemical warfare, medical research --

MR. GEARAN: I think the Department of Defense, that will be one of the things they will have to -- the charge is --

Q Was this discussed today, that you might expand beyond radiological experimentation into other forms of human experimentation?

MR. GEARAN: What was discussed today was that each department is going to pursue and report back on Monday, I think is your next session of this interagency group. The principals will have a meeting in three weeks or so time where there will be reports on the kind of information that they're going to seek back from. That was not covered in this meeting today.

Q I'm just not clear whether you're saying, yes, you would examine, for example, biological weapons research that was done on --

MR. GEARAN: Each agency is going to be charged with their -- it's going to be done agency by agency. I think when we have another session by next week's time, we'll have some better judgment on how Defense is doing versus other agencies. I don't have that answer for you.

Q Was the White House notified by Secretary O'Leary before she came out with her remarks?

MR. GEARAN: Oh, yes. We have been --

Q Before the compensation idea was floated?

MR. GEARAN: I'm sorry. We have been in close contact. In fact, I think the December -- Mike, correct me if I'm wrong on this -- department announcement that the Secretary did on openness on December 7th -- I think you'll find in the release a quote of the President in that commending the Secretary on her leadership on this. She has mentioned this from time to time. And Michael, you may want to give the specifics on this. I think how it popped in terms of newsworthiness was not then until the Albuquerque paper last Tuesday.

But the broader point -- I mean, there's kind of a media sequence of some interest to journalism PhDs somewhere that in terms of our perspective, yes, we feel very much that the White House and department interchange on this has been appropriate and we feel fully informed.

Q So O'Leary was not speaking out of turn when she talked about compensation, is that correct?

MR. GEARAN: I think the President reiterated his support. We have -- other senior officials in the White House have talked about compensation if Americans have been deemed to be wronged by this. And the President has commended the Secretary.

Q Did anybody come to this meeting with numbers of people who have been experimented on?

MR. GEARAN: No.

Q It's been a week, 10 days, two weeks since Secretary Aspin was tasked to get involved with this. Did the Pentagon come to the table with anything today at all?

MR. GEARAN: Yes. They reported -- Deputy Deutsch is charged with the leadership on this within the department. Rudy Deleon, the Chief of Staff to the Secretary, gave a report of what they're doing. I agree -- two weeks. There has been a period of the holidays that have absented some key players from participation on this. I think on the first day back people have been brought in here. We will do so again next Monday for further detail on this. But it was sharing information about where people are at, what the charges are, forming the kind of infrastructure we need on an interagency -- indeed, throughout the government basis. That's what went on today.

Q Was there any discussion of what the financial liability to the government might be on this?

MR. GEARAN: No.

Q Mark, on medical follow-up. Apparently, according to the Markey report, there was no medical follow-up from the Department of Energy. Doesn't that make it difficult to determine harm to the people who participated, or will you have to do those studies now?

MR. GEARAN: I don't know the exact -- Tara, do you want to --

MS. O'TOOLE: Yes. Actually, some of the Department of Energy's subjects did receive some medical follow-up, although it was

fairly unorganized and haphazard. And I think one of the questions that needs to be determined, and that the Markey asked be posed and answered, is should further medical follow-up be conducted and, if so, what form would that take?

Q What's your view of that?

MS. O'TOOLE: I think you have to look at that experiment by experiment. I would also add that the whole process of calling in the records from radiation experiments subsequent to World War II is quite an ambitious and enormous undertaking, and it's proving to be difficult. I mean, it's going to take us some time to get these records together, even to get them to a point where they can be reviewed.

Q Are you talking about a matter of months or a matter of years?

MS. O'TOOLE: Months.

Q Mark, what was the President's involvement on this issue today?

MR. GEARAN: He was briefed, of course, that this meeting was happening.

Q Did he drop in?

MR. GEARAN: He was not able to drop in. He was participating in his briefings on NATO. Phil Lader, the Deputy Chief of Staff, conducted the meeting. He was briefed on it this morning at his regular meeting by Phil that this was happening, and I suspect there will be a follow-up with him afterwards.

Q Does there have to be physical harm to get compensation?

MR. GEARAN: I think it is premature at this point. We are now at the stage of trying to get the kind of information that we need in order to make those kind of informed judgments.

Q Mark, you said no decision has been made whether to seek any criminal charges against anybody in this. Would it have been illegal to have subjected someone to a radiation test without proper notification?

MR. GEARAN: I'm embarrassed, as a lawyer, I can't answer that. I'm not the appropriate person to make that kind of judgment. I think those are the kind of issues that we need to make a reasonable judgment on and some decisions.

Q Last week, Hazel O'Leary said that in the summer of '92 the Bush administration definitely knew about this stuff, and they could have declassified the documents then and they chose not to. Doesn't this administration find that rather upsetting, to put it mildly?

MR. GEARAN: Well, I think what I said earlier is that

--

Q Wind up the pitch. (Laughter.)

MR. GEARAN: Thank you very much -- is I think two administrations have failed to answer some very troubling questions that were originally outlined in Congressman Markey's report. What we are committed to is to getting to the bottom of the information and stepping up to the plate. I think it's reflective of the kind of

openness that the President has suggested from the campaign and into his administration.

Q Could you just clarify one thing? Congressman Markey seemed to be a little stronger in saying that you were fully committed to supporting the legislative package with compensation for people who it was determined were harmed. All you said was that you would be willing to consider it, that you would support considering it.

MR. GEARAN: Well, I think what I would like to say is, to echo what Secretary O'Leary has already said, and that is -- and others that have spoken to this -- and that is, it's pretty simple; If we determine through this process that we're embarking upon that American people were wronged as a result of this government-sponsored experimentation, that we would have to consider the kind of assistance and compensation that would be appropriate. A key part of this is obviously the Congress. That's indeed what the Secretary said. And I don't think that's separate from what Congressman Markey is suggesting -- that we'd want to work very closely with the Congress on how that's best done.

Q Did you get any specifics out of the VA? They had 14 hospitals licensed to conduct nuclear medicine research. Are you certain that all 14 in fact conducted that research?

MR. GEARAN: I think they did not report on that, specifically. They're starting that and, again, conducting -- that's an example of the kind of decentralized information that they need to really -- as reported at our meeting, they will take the time to do that kind of survey.

Q Do we know for sure how many agencies or departments were actually conducting these kinds of experiments? Are we even certain about that?

MR. GEARAN: No.

Q What are we certain of?

MR. GEARAN: What we are certain of is that the administration is committed to ensuring that all or any department that would have some nexus or responsibility here --

Q No, I mean, we're certain that the DOE did. We're, I think, pretty clear that DOD did. What else are we pretty clear on?

MR. GEARAN: Well, that's what we're determining. I mean, I told you who was there today, the departments. We tried to make sure that people were there at the table. It varied considerably in terms of the kind of information that -- obviously, DOE is out front on this in terms of the information they already have. Others are just beginning that process, as a result of DOE's start on this, like DOD and Veterans Affairs.

So I think by next week -- I hate to keep deferring you here, but a lot of that information is still forthcoming as they then begin the kind of contact with researchers or contractors. I mean, it's a labyrinth of information.

Q Why is NASA involved? Is there some suggestion known of NASA's involvement?

MS. O'TOOLE: NASA was interested in the effects of radiation as they pertain to space exploration.

Q And do we know of human experimentation that they did in that regard?

MS. O'TOOLE: We know that NASA sponsored radiation research. We do not know that NASA's experiments were improper or wrong. And I think that's the case with many of the other federal agencies. A number of federal agencies have sponsored research into radiation. It is not clear that those investigations were improper or ethically questionable, and that's what we're trying to determine.

Q Were the NASA investigations mentioned in the Markey report, or is this new information?

MS. O'TOOLE: I don't know the answer to that.

Q Is there somebody who can elaborate on it?

MR. GEARAN: Well, the administrator, Dan Goldin -- there's a statement that he'll be issuing from his office which, as Tara mentioned, suggests that the department informed him that during the '60s and '70s, NASA was involved in sponsorship or cosponsorship of some human experiments to determine the effects of radiation. "I personally consider this issue to be of paramount concern and will ensure that any involvement by NASA is fully disclosed to the American public." Then he outlines three steps that -- two steps that he has taken in terms of how it's going to be -- who is responsible for overseeing the internal activities, the team that's being led for a detailed search of the records at NASA involving human experiments involving radiation. And that's where it lies.

Q Have any of the subjects gone through the Institutional Review Board process?

MR. GEARAN: I don't know the answer.

MS. O'TOOLE: That process really only got underway in the 1970s, so it wouldn't have been pertinent to these earlier experiments.

Q Except there was some thought that some of it might have happened in the '70s as well.

MS. O'TOOLE: And it is our expectation that federal agencies were complying with the IRB recommendations after that time.

Q So one week from today this group meets again, and in three weeks the Cabinet level group will meet?

MR. GEARAN: That's correct.

Q Are they going to meet on a weekly or regular basis?

MR. GEARAN: I think the intent is -- Christine Varney works pretty hard -- I think the intent is this is a very high level at the White House. It is taken very seriously. And I think there will be no short of energy that is going to be committed to this. I would suspect it would be a near-weekly prospect for this working group, and then the principals --

Q Who will be chairing the working group?

Q I want to confirm something. Hazel O'Leary mentioned before she talked about compensation that she was going to do so?

MR. GEARAN: Michael, the time line on this? The Secretary's comments on compensation -- the time line. Do you want to just go through the time line?

This is Michael Gaulden.

MR. GAULDEN: She was first asked about that on December 7th. When she talked about it, she talked about it to other reporters between the 7th and last Tuesday. Last Tuesday on a CNN program she was asked again about it and she basically said what she had said before, which is that if we determine that people have been wronged, then we need to consider what would be appropriate compensation.

I'm am not sure exactly why that at that point it had attracted the press's attention where previously it had not.

Q Well, did she tell the President she was going to talk about compensation before she talked about it? I think that was the question.

MR. GAULDEN: All of these issues have been discussed for as much as two months before the December press conference. I can't tell you if they face to face spoken about that. But all these issues have been discussed between the Department of Energy and the White House for at least two months prior to December 7th.

Q The question is at what time did the White House become aware of it?

MR. GEARAN: I think the net effect is that the White House position is as I stated before on compensation. In terms of the department's role with the White House, we feel that that has been a very good and mutually rewarding briefing situation. I don't think there's a lapse there. And I don't see any reason to --

Q Is there any evidence the government's compensated anybody thus far for any of this stuff?

MR. GEARAN: I'm sorry?

MS. O'TOOLE: There have been previous compensation.

MR. GEARAN: For other kinds of things.

Q But not for his radiation?

Q Not for human experimentation?

MR. GAULDEN: Well, you recall the tests in the South Pacific in which some of the -- and we talked -- natives received some fallout. And there was an assistance and compensation that followed that at that time. That's an analogy. It's not an exact analogy, but there is precedent.

THE PRESS: Thank you.

END

6:16 P.M. EST

B'fnd - 3/Jan

RADIATION

- WH Interagency Cataloging Group - 65 mins
DOE
DOD
HHS
NASA
VA
JUSTICE
OSTP

ass't
secys
+ gr staff
+ SN WH
staff

- Principals

O'Leary
Shalala

Aspin

Reno

Jesse Brown

Panetta

NASA ~~Admstr~~ ~~Director~~ Dan Goldin

Coordinate each agencies'

- ~~Coordinate~~ ~~wide review~~ retrieval of
~~of all radiation material~~

- all govt sponsored radiation
experiments on humans

- establish standards

- done on agency by agency basis

- Reports from agencies on status of departments work -

- Interagency Group -

 - ↳ determine scope of records + retrieval on govt sponsored

 - ↳

→ Several committees established

① Outreach

- 800 #s
- consistent info given
- sharing w/ depts

② Retrieval

③ Cong'l

④ Legal

POTUS— directive ~~last Spring~~
to open

Cheney— consistent —

Compensation

If Am people were wronged,
we have to consider what
appropriate compensation or assistance
would be.

Work with Congress

very good (productive)

Markey - 3 stars 1986

- 1) What was extent of experimentation?
- 2) What ~~Follow-up~~ ^{medical}?
- 3) Compensation might be appropriate?
Written non-response from Reagan Admins

2 Admins failed to answer those stars

↳ We intend to step up to plate

**Statement by NASA Administrator Daniel S. Goldin
Concerning Radiation Testing on Humans**

On December 30, 1993, my office was informed by the Department of Energy that, during the 1960s and 70s, NASA was involved in sponsorship or cosponsorship of some human experiments to determine the effects of radiation. I personally consider this issue to be of paramount concern and will ensure that any involvement by NASA is fully disclosed to the American public. Therefore, I have taken the following immediate steps:

1. I have assigned Dr. Harry C. Holloway, Associate Administrator for Life & Microgravity Sciences & Applications, the responsibility of overseeing all of NASA's internal activities regarding human experimentation on the effects of radiation. He will participate in an interagency meeting at the White House this afternoon concerning research on this issue and how the government should proceed.

2. I have appointed a team, led by Dr. Donald E. Robbins, Deputy Director of Space and Life Sciences at the Johnson Space Center, to conduct a prompt but detailed search of all NASA records concerning human experiments involving radiation. The team will report to Dr. Holloway and will cooperate fully with external review bodies, the Department of Energy and other federal agencies involved in this issue.

Today's NASA prides itself on its openness, its relevancy and its positive impact on the quality of life for all people. There is no place in this agency for human medical experimentation conducted in secrecy or without full respect for the human dignity of each and every participant. I guarantee the American public a full accounting of all radiation experiments conducted on human subjects by this agency.

January 3, 1994

AGENDA
AGENCY COORDINATION MEETING
January 3, 1993

I. Introductions and Overview

II. History of Experiments/Disclosures

III. Agency Updates

IV. Next steps:

Gibbons

- Review and retrieval of records ✓
- Access
- Notification of subjects
- Ethical review ✓
- Medical follow-up ✓
- Compensation
- Other Issues

V. Organization of Response

Committees

VI. Legislative Strategy

VII. Communications Strategy

VIII. Next Meeting Monday, January 10, 1993 4:00 PM
Roosevelt Room

- strong intst
- clearly
- keep line

3 January 1999

Tara O'Toole

- Most of releases have been in Markey

- 4 categories

- 1) Efforts to investigate certain health

- x-rays of 18 people
 $\bar{c}$ plutonium

- 1960s + 70s $\rightarrow$ prisoners
 $\bar{c}$ consent were irradiated

- 60s + 70s - UCincinnati
 on cancer patients

- 2) Attempts to study beneficial use
 for medical reasons

 Mass General in 40's
 on brain cancer

- 3) Use of radio isotopes

- radiation as byproduct
 Vanderbilt U.

 pregnant women
 Fernald School kids
 study on nutrition

4.) Internal use of radiation by
DOD - GAO report -
Hanford: radioactive iodine
release

Varying types of govt involvement
(experiments sponsored

Experiments by investigators -

DOE - O'Leary letter to contractors +
former contractors: search for docs.
- not read yet (chain of custody)

All info made public b4 -
this Admin has taken among ourselves
to open to people.

Some public for 20 yrs
or since Markey in '86
It's never been put together b4.

Alba - paper → victims.
O'Leary studied
1st x govt official acknowledged

Markey report had 3 recs this never followed up on —

Oleary spoke of Δ culture at DOE
declassify docs in some

↳ story caught her attn & she
rolled this into our openness
press conf 11/7

Bogun to put together task force to
advise on ethics —

No sense of universe —
695 — identified by Markey

DOD

— Rudy DeLeon

Deutsch + Oleary in touch
Deutsch will take lead

- 1) Hq has tasked an effort in each
military service + 2 surgeon generals
- 2) Hq cautions will need a diverse approach
to retrieve — archives + info — has
been compartmented + held back

Deutsche needs to establish an
ind. outside review group — to
confirm + critique → for thoroughness
+ comprehensiveness.

Major priority of dept

Details

HHS Began search of all research —
(NIH) thus far, do not detect any funding
of studies.

Therapeutic use or accepted medical
practice → not searched for.

CW Interagency group will review
accepted medical practice

UA - At some stage
- Sec'y published toll free line
- Began review of 172 hospitals
research → still underway

It's decentralized - so we're awaiting response -

DOE is getting between 6,000-10,000 calls/per day

~~DOD has~~

NASA

- Gone over program
- All research done in collaboration with DOD + DOE
- Identified experts with isotopes use for space study & studies for therapeutic
- Haven't found participation in prisoners
- Astronauts are asking protocol

Gibbons - Info has come out b4 -
big difference is Administrative

imperative to handle as unified
activity -
Q

CV

Interagency Working Group

- Secy's as prin
DOE. ~~DOE~~. ^{VA} Brown
NSA. Defens

- Principals briefing w/in 3 wks
Then we present structure
with timelines

- Outreach Task Force - to
develop standard 800 number
& response

Joel Klein

- Caution on what we say on telephone
- Careful on issues of compensation

Cheney - if we bet people were
wrong - she will go to C
+ rec'd approp compensation.

Disclose facts

CW

TF on Review + retrieval of records
methodology so everyone
knows what the tasking is

DOE

- has set up TF on ethical review

CW

Communications Working Group

Legislative Working Group

Joel will coordinate w legal counsels
of depts/agencies

- Outreach
- Review/Referrals
- outside group or
- cong'l
- legal

• DOE, DOD
• Gibbons

SECRETARY O'LEARY ON RESPONSE TO QUESTIONS
ABOUT THE POSSIBILITY OF COMPENSATION FOR
VICTIMS OF HUMAN EXPERIMENTATION:

Aired on CNN Morning News:

"My view is that we must proceed with disclosing these facts and information, regardless of the fact of whether it opens the door for a lawsuit against the government. And many have suggested and I tend to agree personally, that those people who were wronged need to be compensated and we ought to go forward and explain to the Congress and explain what has happened and let the Congress of the United States and the American public determine what would be the appropriate compensation."

In a taped interview for NBC Nightly News: (May or may not be aired in its entirety)

"The Federal tort law permits some settlement for claims against the government against a very tough criteria. It's those very criteria which have led the Congress on several occasions to create another process on righting a wrong. That was the case of the Japanese U.S. citizens who were interred on the West Coast where Congress passed legislation to grant them a right to settlement if certain criteria were met."

"I'm very open to seeing that the wrongs are righted. As we discover there is a need to compensate people -- to settle their claims -- I will carry forward to the OMB and to my Administration, proposals that might lead to something like that."

In a taped interview for ABC World News Tonight: (May or may not be aired in its entirety)

"I'm prepared to represent my point of view as a senior member of this Administration but clearly not making the decision for the entire Administration. I am clear on the fact that if there were people who were harmed, they ought to have available to them the means to be made whole. I know that the law provide that means. And if that means is ineffective, then I will go forward and work very hard to ensure that there are effective means made available to make these folks whole."

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 3, 1994

PRESS BRIEFING
BY DEE DEE MYERS

The Briefing Room

1:43 P.M. EST

MS. MYERS: A couple of quick things. First of all, as you know -- at 4:00 p.m. today in the OEOB the different departments will meet on radiation. There will be representatives there from Veterans, Defense, Energy, OMB, Justice, NASA and HHS, as well as White House officials. It is being coordinated by Phil Lader and Christine Varney. Mark Gearan will also attend that meeting and be here in the briefing room sometime, probably between 5:00 p.m. and 5:30 p.m. for a readout.

Q Can we have a little photo op?

MS. MYERS: No, probably not, but I'll take it and see if we want to do that. And perhaps a White House photo, but I'm not sure we can turn it around quick enough. So we'll take a look at that and let you know.

Q What's this again? (Laughter.)

MS. MYERS: This is the radiation meeting. You know, there's been this issue -- (laughter.)

Q Will the President drop in?

MS. MYERS: I think it's unlikely. It's still possible. It's not on his schedule. He said that he may drop by. He may choose to do that, but I think it will probably be conducted on a staff level.

And then I just thought a little readout from this morning's health care meeting --

Q Before you do that, can I ask who Markey was meeting with?

MS. MYERS: Markey came over -- I'm not sure who all he met with, but he did -- as you know, he produced a report -- his office produced a report on this issue sometime ago. Many of the issues that are now being discussed were covered in that report, and he came over here to talk with some White House officials about what his --

Q Why is the CIA not at this meeting today? Because there has been some information from Markey and others that the CIA is not being as cooperative as some of these other agencies in releasing their information.

MS. MYERS: I'm not sure why they're not there, but I'll certainly take the question and find out if they were ever part of this process and what the status of that is.

MORE

#141-01/03

Q Does the President agree with what Secretary O'Leary said about compensation? What is the latest thinking about whether compensation should be made to all who have been affected, including --

MS. MYERS: Well, I think that's the goal of this meeting, is to find out -- to begin a fact-finding process to find out exactly what the status is, what the state of play is and then begin to make decisions about how best to proceed.

I think if there were injustices rendered that need to look at compensation, the President certainly believes that. But I think at this point I think the process needs to move forward with the fact-finding.

Q Did the White House give O'Leary the go-ahead before she made this promise to compensate victims?

MS. MYERS: I think it's been something that she's been working on at the DOE. Certainly the President -- part of what initiated this process was the President's directive last year to begin declassification of documents, something he certainly supports. I think we'll see where the process goes from here.

Q But did she go to the White House first and ask permission before she came out publicly with this?

MS. MYERS: No, I think -- I'm not sure that she asked for permission, but it is something that she's discussed with White House officials.

Q Did she notify the White House in advance of the amount that she was going to make?

MS. MYERS: Of the compensation?

Q Well, the first part -- and separately, the conversation.

MS. MYERS: Yes, yes. I'm not sure about the compensation but it's certainly -- because I'm not sure what the exact chronology was. But it's certainly something that she's been in discussion about, as she is about a number of issues that they're undertaking at DOE.

Q Could you give us a health care readout?

MS. MYERS: Sure. As you know, the President called together the working group on health care today to kick off the new year. I can -- what we'll do is post the list of -- I guess you guys saw the attendees. We don't need to do that.

He began by thanking the Cabinet members for their work on health care over the previous year, and for the appearances that many of them made, particularly in the last few months since the President announced the health care plan in September. He talked about the importance of continuing to coordinate closely between agencies, about the importance of the initiative, about getting health care passed this year, about the absolute immutability of universal coverage and comprehensive benefits that can never be taken away.

The First Lady, I think, underscored that. She talked about the importance of coordination and consultation between the various agencies. And I think they talked about a number of areas where coordination is particularly important on a policy level, on a legislative level -- as all the different agencies will have

to provide medical follow-up tests and compensation where damage was done. Do those recommendations track current White House thinking or do they go beyond what you folks have in mind at this point?

MS. MYERS: Well, as you know, Congressman Markey met with people here at the White House today, and I think that the point of the meeting this afternoon is to review the state of play and to decide what steps to take next. I think that we'll wait until this meeting takes place and see what the results are of that meeting.

Q Do you expect some policy guidance following the meeting?

MS. MYERS: Yes. As I said at the beginning of this, Mark Gearan will give a readout after the meeting. What level --

Q Who's running this meeting? What level is it at and --

MS. MYERS: Phil Lader's running it here for us. Certainly Mack, Phil and John Podesta and Christine Varney have been sort of the point people in the White House as this thing has come together over the last few days.

Q Will Mark be able to walk us through the President's specific involvement from beginning to end in this -- exactly when he was notified about it and how -- what the directives have been?

MS. MYERS: Sure, we can get that for you by then.

Q Will Mark be for camera?

MS. MYERS: Probably. The first five minutes probably.

Q Can we get a list of the people participating in this meeting?

MS. MYERS: Sure. That can be part of Mark's readout.

Q Can we get back to North Korea for a second? Reuters is quoting a senior U.S. official as saying that the United States and North Korea are near a deal on Pyong Young's nuclear program that could be wrapped up this week.

Q Is that you?

MS. MYERS: Exactly. (Laughter.) I said they were making progress. You're -- as always, Wolf, you're ahead of me on that. I'll have to --

Q Is that possible that this week they could wrap up a deal?

MS. MYERS: I would be very reluctant to put any kind of deadline on that. I mean, I think we are making good progress, and we'll have an announcement when we have an announcement. Hopefully, soon.

Q On these nuclear experiments, do you know whether they are conducted on any non-Americans, outside of Hiroshima and Nagasaki?

MS. MYERS: I don't know, and again, that's something that we -- (laughter.) Not that I know of. We'll have more on all of that sometime between 5:00 p.m. and 5:30 p.m. when Mark comes back.

Thank you.

very involved in the development of the "don't ask, don't tell, don't pursue" policy. It something that we have consulted closely with them throughout.

Q Which part of the story are you saying is fiction? That there was a meeting at all?

MS. MYERS: That they were somehow muzzled, which is the implication of the article.

Q Was there such a meeting where they came and --

Q What were they asked at the meeting?

MS. MYERS: They had been consulted regularly about this, and certainly made aware of progress on the debate. I'm not sure who was at the meeting, so I can certainly take that.

Q Were the Joint Chiefs here on that day for a meeting on that topic?

MS. MYERS: I'm not sure who all was here on that day for a meeting. There were a number of meetings. I'll have to check specifically who was here. But again, a number of them have been here periodically, have certainly been consulted on this process throughout, have worked closely with the White House both in the drafting and in the drafting of the regulations about it.

Q So are you saying that there was a meeting; it was for the White House to inform them of the announcement after it was made and to brief them in advance, not to tell them please don't go out and attack this --

MS. MYERS: Correct. I mean, it was something that they had worked with us on throughout.

Q Well, why did they have to be told about a policy that Aspin was going to announce?

MS. MYERS: I think they were --

Q Don't they kind of work for Aspin in a way over there?

MS. MYERS: I think they work for the President ultimately. And I think that since the White House was working closely with DOD, that it was certainly part of the process to let them know. And again, I didn't check -- I need to check to see exactly who may have been at the meeting. But the point is that they were involved throughout the process, that they were informed about the process and the progress as it went along, and that they were certainly never muzzled.

Q If your going to inform them in advance of the think, aren't you going to ask them to wait before they comment until after the Secretary speaks? Aren't you at least going to muzzle them to that degree?

MS. MYERS: As you do with any policy announcement. But that's different, that's not what the allegation is.

Q Markey said before he went into this meeting that he would recommend that not just the agencies represented here this afternoon, but CIA and others that may have sponsored radiation testing also ought to be examined to see what went on and that there be full tracking of people who, unbeknownst to themselves, were exposed to this. In addition, he said he wanted the government then

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 3, 1994

PRESS BRIEFING
BY
MARK GEARAN

The Briefing Room

5:50 P.M. EST

MR. GEARAN: We've just concluded what I think was a very good and productive meeting. It was convened here in the White House with various departments and agencies of the government, as well as senior staff and senior White House staff here. Assistant Secretaries and senior staff of several of the departments came here at the invitation of the White House to discuss this issue of radiation that's been raised in recent weeks. We met for more than an hour over in the Old Executive Office Building.

There are several things that came out of the meeting in terms of where we go from here. I would have to tell you, this is the first step, this is the first meeting in terms of an interagency group that we have had. I suspect there will be many more. Already we have -- I'll go through -- there have been different committees and subgroups suggested and recommended. A meeting of this particular group is planned for next week as well. So there's a great deal yet to be done, but I think, on balance, this was a very good start to a very complex and important issue.

Fundamentally, the White House has established an interagency working group that will deal with this. The officials that will be comprised of this -- the principals, that is, are the following members of the Cabinet: Secretary of Energy O'Leary; Secretary Shalala; Secretary Aspin; Attorney General Reno; Secretary Jesse Brown; OMB Director Panetta; and the NASA Administrator Dan Goldin in addition to the senior White House staff that will be participating in it.

The meeting was called, obviously, after reports and the activity and the actions of our Secretary of Energy O'Leary to follow up ultimately to a report first issued in 1986 by Congressman Ed Markey of Massachusetts, who posed three questions to the Department of Energy at that time in terms of some of the research and the work that they did in his subcommittee work: Number one, what was the extent of experimentation; number two, what was the medical follow-up to this experimentation; and third, what compensation might be appropriate.

The written responses that he received from the officials at that time seemed to be, to us, inadequate. Two administrations have failed to answer these questions. And we intend to step up to the plate and to do our very best to get to the bottom of the facts at hand and to get as much information as we possibly can about these issues.

Let me go through a bit about some of the other subgroups that were established to give you a sense of the scope of the administration activity. Number one, a group was put together by our Cabinet secretary, Christine Varney, on the outreach that's going on in the agencies. Various departments reported at the meeting about what the status is of their information retrieval and their ongoing activities. The 800 numbers that Secretary O'Leary had

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spoken of are replicated in some of the other agencies. We want to coordinate that so that there would be consistent information retrieved, frequently from callers into the lines, and that information would indeed be shared across agencies.

Secondly, one of the principal activities of this interagency group is to coordinate the retrieval of information which is on all of the government-sponsored radiation on humans that were conducted since the '40s. This will be done on an agency-by-agency basis. Each agency will look at, and have already begun to start that process in many instances, of retrieving the kind of information so that all that can be retrieved into, so we can then assess where we go from there.

Thirdly, in addition to those retrieval efforts, there will be an important congressional piece to this. As I mentioned, Congressman Markey has really been in the forefront of this, and others as well. We want to work with the Congress as we begin to keep them informed and apprised and to seek their counsel on our activities. And finally then, the various legal counsels in all of the departments will be coordinated in a legal committee.

So that is a quick readout. As I said, each agency gave a report of where they stand, where they're going from here. I would have to tell you right at the outset this is the first -- it's preliminary. A lot of the questions you might have may go unanswered at this point. There are some questions that are premature in terms of what information we have, what we don't have.

I think, though, in summation, what you have is, the President, who urged certainly in the campaign and through an executive order, opened this in government to get information out, to have the kind of government that is open and responsive to the people that sent us here. Secretary O'Leary has followed up with tremendous distinction and with the full support of the President, as he remarked upon when he was in South Carolina. We have other members of the Cabinet now that are earnestly trying to retrieve the same kind of information within their jurisdictions.

Q Can you determine through any of the material that you've received why these people were not informed, why it was conducted in such a heinous way -- that the experimentation on the children, allegedly, and pregnant women, and who else -- was there any reason given for the total secrecy?

MR. GEARAN: No, there's not a real reason that I can give to you. There are some instances where some consent was apparently given -- asked for and given. How specific that was and how detailed that was is an open question at this point. That's the kind of thing that this whole retrieval initiative that we're starting will seek to determine.

Q How long is it going to take you to try to gather all this? And when will you have an idea of how much this administration would be willing to spend on compensation?

MR. GEARAN: Well, as the Secretary has said previously -- and the President certainly has supported that -- if it is determined that the American people were wronged, we would have to consider what appropriate compensation and assistance would be. We would work with the Congress on that and consult with them on what that would be.

The time line, I wish I could give you a very speedy time line. We are working with all deliberate speed on this since this first came to the fore, and we have convened this meeting the first day back here. Now we're trying to decentralize the kind of information so it's done very quickly and rapidly. I think by next

week's time we might have preliminary reports along the way, now that, for instance, the Department of Defense or HHS and the Attorney General -- all the kind of Cabinet members are going back to their departments to seek the kind of information they need.

Q Will the CIA be a part of this? And if so, why wasn't CIA here today?

MR. GEARAN: Well, the National Security Council was at the meeting today, and they will be working with the CIA, should that be appropriate.

Q Will the CIA be involved in full disclosure if it's determined, as it was in the '75 study, that they indeed were sponsors of human radiation experiments?

MR. GEARAN: I think we have to determine what kind of involvement that is. That's why we had the National Security Council there. And the next step in terms of the CIA -- we'd have to see how that proceeds.

Q Congressman Markey, on that point, has said he has been assured by the White House in meetings with Phil Lader and Christine Varney that the CIA's cooperation will be sought on this.

MR. GEARAN: I don't mean to be vague. I think my point is in terms of today's meeting and today's participation. And I was at the meeting as well with the Congressman -- that the National Security Council -- it's deemed appropriate that Christine has been in touch with to ensure their participation at today's meeting. They will now be -- a lot of what's going on obviously is we have to now go back to the various departments and agencies. They're putting together the kind of protocol that would be required to seek and retrieve the information we need in order to make some best judgments.

Q So we shouldn't interpret from what's happened that the CIA gets a pass on some of this because it's a black agency?

MR. GEARAN: No, I think you should interpret that the presence of the National Security Council will ensure that this government is committed to the kind of openness that I think you've seen in the past few weeks.

Q Does the presence of the Attorney General in this indicate that you're looking at a possible criminal liability?

MR. GEARAN: Well, I think there's a whole range of legal issues that are involved, obviously, and the Attorney General will be a key player. She's a principal on the committee, as I mentioned. They are looking at the whole range of legal issues that are involved. I think it's premature at this point to determine where we go from here.

Q Are you willing to pursue that if there's --

MR. GEARAN: At this point, I think we're -- what's most accurate now for me to relate to you certainly is we're at the stage now where it would be premature to say what kind of actions, what the end game necessarily is. What I think I can report to you on is the kind of openness that you've seen, that we're committed to getting to the bottom of it, to getting the kind of information, and then to make the best and most reasonable, informed judgment on where we proceed from there.

Q I realize the nature focus is on Americans, but if there is any evidence that foreigners were victimized in this way, can they get compensation such as in the Agent Orange situation?

MR. GEARAN: I think, again, that would be a topic of the interagency working group.

Q Is there any evidence at this point that perhaps any prisoners of war or something --

MR. GEARAN: I don't know the answer to that. Not that I'm aware of.

Q What was inadequate about previous response, the previous administrations? I mean, where did they fall short? You said it was inadequate.

MR. GEARAN: Nothing was followed up on.

Q Nothing at all? Nothing was done?

MR. GEARAN: Not that any of us are aware of.

Q Was Secretary O'Leary acting on her own when she suggested the compensation? Is there any concern about this turning into a multibillion-dollar --

MR. GEARAN: No. I think, if anything, I would like to make it quite clear that the Secretary has been in very close contact with the White House. A lot of her efforts on documents within the department have grown out of this, and officials are here from DOE -- Mike Gaulden and Tara O'Toole are here from the department to visit with you.

But the history of this in terms of the White House is a good example of the kind of coordination between the department and the White House. The President reiterated that in South Carolina. The Secretary's comments in terms of compensation -- I think she spoke of personally -- we can get you the exact quote of how she phrased it, but what we have said continually, what other White House officials have said is that, similar to what the Secretary said; indeed, if Americans have been -- if we realize and figure out that they were wronged, that we would have to consider the kind of compensation and assistance that would be appropriate.

Q Is there any doubt at this point that some Americans were wronged?

MR. GEARAN: I think, given where we are right now in terms of putting together this group -- departments are going back, they're writing letters to contractors, they're doing the kinds of things to retrieve the information that you would have -- it would be premature for me to make that kind of judgment.

Q But haven't some of the studies suggested, or more than suggested, stated flat out -- Markey's report of a couple of years ago said flat out they were wronged?

MR. GEARAN: Congressman Markey's study is an important one, one we take very seriously. But in terms of exact kind of judgment calls, I think we find the information to date is very troubling and the Secretary has been quite clear on this.

Q Did she get the President's permission --

Q -- get a handle of whether there are hundreds or thousands of victims that you're talking about right now?

MR. GEARAN: We don't have any best judgment on that. I think the Congressman's report had 695. But I --

Q He said possibly thousands.

MR. GEARAN: Yes. As I said, in 1986, the Markey report, which only did the Department of Energy, as I understand it, had 695 suggested individuals. If you broaden this beyond that -- we're not able to give you that.

Q How do you view the scope of this group? Is it going to go out and take testimony from victims? Is it going to have any public hearings? Where do you see it actually going?

MR. GEARAN: Well, the first step is the retrieval of this information and where we -- to get the kind of scope of what's involved. And I don't know -- feel free to jump in on how they're going to do that. Each agency has some initial thoughts of this. What we want to do is ensure that this retrieval is a coordinated activity so that the kinds of questions that are asked, so that the information that is sought by various individuals is consistent and that we get it back in a way that's most responsive.

You have to observe that each department and each agency has certain nuances that are different in terms of contractors, in terms of research, in terms of -- the Veterans Administration, for instance, has 172 hospitals. How they retrieve that information is vastly different from the Department of Defense.

Q You don't view a public role for this interagency group at some point?

MR. GEARAN: That was not covered at this meeting. I would think it would be something that the principals at the meeting would want to consider.

Q Because it's such a high level group, will any of these meetings be open?

MR. GEARAN: We did not review that at the meeting. I think what we want to report to you today is that we're hard at work at this and earnestly trying to get about the business of getting to the bottom of it.

Q Is there any consideration being given to other forms of human experimentation other than radiological? For example, biological warfare defense, chemical warfare, medical research --

MR. GEARAN: I think the Department of Defense, that will be one of the things they will have to -- the charge is --

Q Was this discussed today, that you might expand beyond radiological experimentation into other forms of human experimentation?

MR. GEARAN: What was discussed today was that each department is going to pursue and report back on Monday, I think is your next session of this interagency group. The principals will have a meeting in three weeks or so time where there will be reports on the kind of information that they're going to seek back from. That was not covered in this meeting today.

Q I'm just not clear whether you're saying, yes, you would examine, for example, biological weapons research that was done on --

MR. GEARAN: Each agency is going to be charged with their -- it's going to be done agency by agency. I think when we have another session by next week's time, we'll have some better judgment on how Defense is doing versus other agencies. I don't have that answer for you.

Q Was the White House notified by Secretary O'Leary before she came out with her remarks?

MR. GEARAN: Oh, yes. We have been --

Q Before the compensation idea was floated?

MR. GEARAN: I'm sorry. We have been in close contact. In fact, I think the December -- Mike, correct me if I'm wrong on this -- department announcement that the Secretary did on openness on December 7th -- I think you'll find in the release a quote of the President in that commending the Secretary on her leadership on this. She has mentioned this from time to time. And Michael, you may want to give the specifics on this. I think how it popped in terms of newsworthiness was not then until the Albuquerque paper last Tuesday.

But the broader point -- I mean, there's kind of a media sequence of some interest to journalism PhDs somewhere that in terms of our perspective, yes, we feel very much that the White House and department interchange on this has been appropriate and we feel fully informed.

Q So O'Leary was not speaking out of turn when she talked about compensation, is that correct?

MR. GEARAN: I think the President reiterated his support. We have -- other senior officials in the White House have talked about compensation if Americans have been deemed to be wronged by this. And the President has commended the Secretary.

Q Did anybody come to this meeting with numbers of people who have been experimented on?

MR. GEARAN: No.

Q It's been a week, 10 days, two weeks since Secretary Aspin was tasked to get involved with this. Did the Pentagon come to the table with anything today at all?

MR. GEARAN: Yes. They reported -- Deputy Deutsch is charged with the leadership on this within the department. Rudy Deleon, the Chief of Staff to the Secretary, gave a report of what they're doing. I agree -- two weeks. There has been a period of the holidays that have absented some key players from participation on this. I think on the first day back people have been brought in here. We will do so again next Monday for further detail on this. But it was sharing information about where people are at, what the charges are, forming the kind of infrastructure we need on an interagency -- indeed, throughout the government basis. That's what went on today.

Q Was there any discussion of what the financial liability to the government might be on this?

MR. GEARAN: No.

Q Mark, on medical follow-up. Apparently, according to the Markey report, there was no medical follow-up from the Department of Energy. Doesn't that make it difficult to determine harm to the people who participated, or will you have to do those studies now?

MR. GEARAN: I don't know the exact -- Tara, do you want to --

MS. O'TOOLE: Yes. Actually, some of the Department of Energy's subjects did receive some medical follow-up, although it was

fairly unorganized and haphazard. And I think one of the questions that needs to be determined, and that the Markey asked be posed and answered, is should further medical follow-up be conducted and, if so, what form would that take?

Q What's your view of that?

MS. O'TOOLE: I think you have to look at that experiment by experiment. I would also add that the whole process of calling in the records from radiation experiments subsequent to World War II is quite an ambitious and enormous undertaking, and it's proving to be difficult. I mean, it's going to take us some time to get these records together, even to get them to a point where they can be reviewed.

Q Are you talking about a matter of months or a matter of years?

MS. O'TOOLE: Months.

Q Mark, what was the President's involvement on this issue today?

MR. GEARAN: He was briefed, of course, that this meeting was happening.

Q Did he drop in?

MR. GEARAN: He was not able to drop in. He was participating in his briefings on NATO. Phil Lader, the Deputy Chief of Staff, conducted the meeting. He was briefed on it this morning at his regular meeting by Phil that this was happening, and I suspect there will be a follow-up with him afterwards.

Q Does there have to be physical harm to get compensation?

MR. GEARAN: I think it is premature at this point. We are now at the stage of trying to get the kind of information that we need in order to make those kind of informed judgments.

Q Mark, you said no decision has been made whether to seek any criminal charges against anybody in this. Would it have been illegal to have subjected someone to a radiation test without proper notification?

MR. GEARAN: I'm embarrassed, as a lawyer, I can't answer that. I'm not the appropriate person to make that kind of judgment. I think those are the kind of issues that we need to make a reasonable judgment on and some decisions.

Q Last week, Hazel O'Leary said that in the summer of '92 the Bush administration definitely knew about this stuff, and they could have declassified the documents then and they chose not to. Doesn't this administration find that rather upsetting, to put it mildly?

MR. GEARAN: Well, I think what I said earlier is that

--

Q Wind up the pitch. (Laughter.)

MR. GEARAN: Thank you very much -- is I think two administrations have failed to answer some very troubling questions that were originally outlined in Congressman Markey's report. What we are committed to is to getting to the bottom of the information and stepping up to the plate. I think it's reflective of the kind of

openness that the President has suggested from the campaign and into his administration.

Q Could you just clarify one thing? Congressman Markey seemed to be a little stronger in saying that you were fully committed to supporting the legislative package with compensation for people who it was determined were harmed. All you said was that you would be willing to consider it, that you would support considering it.

MR. GEARAN: Well, I think what I would like to say is, to echo what Secretary O'Leary has already said, and that is -- and others that have spoken to this -- and that is, it's pretty simple; If we determine through this process that we're embarking upon that American people were wronged as a result of this government-sponsored experimentation, that we would have to consider the kind of assistance and compensation that would be appropriate. A key part of this is obviously the Congress. That's indeed what the Secretary said. And I don't think that's separate from what Congressman Markey is suggesting -- that we'd want to work very closely with the Congress on how that's best done.

Q Did you get any specifics out of the VA? They had 14 hospitals licensed to conduct nuclear medicine research. Are you certain that all 14 in fact conducted that research?

MR. GEARAN: I think they did not report on that, specifically. They're starting that and, again, conducting -- that's an example of the kind of decentralized information that they need to really -- as reported at our meeting, they will take the time to do that kind of survey.

Q Do we know for sure how many agencies or departments were actually conducting these kinds of experiments? Are we even certain about that?

MR. GEARAN: No.

Q What are we certain of?

MR. GEARAN: What we are certain of is that the administration is committed to ensuring that all or any department that would have some nexus or responsibility here --

Q No, I mean, we're certain that the DOE did. We're, I think, pretty clear that DOD did. What else are we pretty clear on?

MR. GEARAN: Well, that's what we're determining. I mean, I told you who was there today, the departments. We tried to make sure that people were there at the table. It varied considerably in terms of the kind of information that -- obviously, DOE is out front on this in terms of the information they already have. Others are just beginning that process, as a result of DOE's start on this, like DOD and Veterans Affairs.

So I think by next week -- I hate to keep deferring you here, but a lot of that information is still forthcoming as they then begin the kind of contact with researchers or contractors. I mean, it's a labyrinth of information.

Q Why is NASA involved? Is there some suggestion known of NASA's involvement?

MS. O'TOOLE: NASA was interested in the effects of radiation as they pertain to space exploration.

Q And do we know of human experimentation that they did in that regard?

MS. O'TOOLE: We know that NASA sponsored radiation research. We do not know that NASA's experiments were improper or wrong. And I think that's the case with many of the other federal agencies. A number of federal agencies have sponsored research into radiation. It is not clear that those investigations were improper or ethically questionable, and that's what we're trying to determine.

Q Were the NASA investigations mentioned in the Markey report, or is this new information?

MS. O'TOOLE: I don't know the answer to that.

Q Is there somebody who can elaborate on it?

MR. GEARAN: Well, the administrator, Dan Goldin -- there's a statement that he'll be issuing from his office which, as Tara mentioned, suggests that the department informed him that during the '60s and '70s, NASA was involved in sponsorship or cosponsorship of some human experiments to determine the effects of radiation. "I personally consider this issue to be of paramount concern and will ensure that any involvement by NASA is fully disclosed to the American public." Then he outlines three steps that -- two steps that he has taken in terms of how it's going to be -- who is responsible for overseeing the internal activities, the team that's being led for a detailed search of the records at NASA involving human experiments involving radiation. And that's where it lies.

Q Have any of the subjects gone through the Institutional Review Board process?

MR. GEARAN: I don't know the answer.

MS. O'TOOLE: That process really only got underway in the 1970s, so it wouldn't have been pertinent to these earlier experiments.

Q Except there was some thought that some of it might have happened in the '70s as well.

MS. O'TOOLE: And it is our expectation that federal agencies were complying with the IRB recommendations after that time.

Q So one week from today this group meets again, and in three weeks the Cabinet level group will meet?

MR. GEARAN: That's correct.

Q Are they going to meet on a weekly or regular basis?

MR. GEARAN: I think the intent is -- Christine Varney works pretty hard -- I think the intent is this is a very high level at the White House. It is taken very seriously. And I think there will be no short of energy that is going to be committed to this. I would suspect it would be a near-weekly prospect for this working group, and then the principals --

Q Who will be chairing the working group?

Q I want to confirm something. Hazel O'Leary mentioned before she talked about compensation that she was going to do so?

MR. GEARAN: Michael, the time line on this? The Secretary's comments on compensation -- the time line. Do you want to just go through the time line?

This is Michael Gaulden.

MR. GAULDEN: She was first asked about that on December 7th. When she talked about it, she talked about it to other reporters between the 7th and last Tuesday. Last Tuesday on a CNN program she was asked again about it and she basically said what she had said before, which is that if we determine that people have been wronged, then we need to consider what would be appropriate compensation.

I'm am not sure exactly why that at that point it had attracted the press's attention where previously it had not.

Q Well, did she tell the President she was going to talk about compensation before she talked about it? I think that was the question.

MR. GAULDEN: All of these issues have been discussed for as much as two months before the December press conference. I can't tell you if they face to face spoken about that. But all these issues have been discussed between the Department of Energy and the White House for at least two months prior to December 7th.

Q The question is at what time did the White House become aware of it?

MR. GEARAN: I think the net effect is that the White House position is as I stated before on compensation. In terms of the department's role with the White House, we feel that that has been a very good and mutually rewarding briefing situation. I don't think there's a lapse there. And I don't see any reason to --

Q Is there any evidence the government's compensated anybody thus far for any of this stuff?

MR. GEARAN: I'm sorry?

MS. O'TOOLE: There have been previous compensation.

MR. GEARAN: For other kinds of things.

Q But not for his radiation?

Q Not for human experimentation?

MR. GAULDEN: Well, you recall the tests in the South Pacific in which some of the -- and we talked -- natives received some fallout. And there was an assistance and compensation that followed that at that time. That's an analogy. It's not an exact analogy, but there is precedent.

THE PRESS: Thank you.

END

6:16 P.M. EST



DEPARTMENT OF ENERGY
Washington, DC 20585

OFFICE OF THE SECRETARY

December 29, 1993

NOTE TO PHIL CAPLAN
STEVE SILVERMAN

FROM: RICH ROSENZWEIG

Here is the appropriate potential statement, information on the experiments, and some press articles which recently increased the visibility of the story. Please distribute to appropriate White House officials.

Attachments

12/29
Mark -
Thought you would
be interested in some paper
DOE prepared for us or
the human radiation stories.
Phil Caplan
x2572

DRAFT STATEMENT FOR POTENTIAL USE BY THE WHITE HOUSE

We are deeply troubled that the climate of the Cold War allowed our government to sanction in secrecy human experimentation that had no apparent scientific merit and that violates our fundamental sense of ethics. This information has come to light as I had ordered all Cabinet Agencies to declassify information that no longer requires classification for National Security purposes. The Secretary of Energy has already set up an independent panel to gather information and release it to the public as soon as possible, consistent with the privacy interests of the affected individuals.

The Department of Energy has set up this process to gather information on past experiments that may have violated ethical standards. Nothing in this activity casts doubt on the validity of current medical therapies being administered to patients by qualified physicians or medical institutions. Persons receiving such therapy should feel comfortable in discussing their therapy with their physician.

The Department of Energy has established a toll-free hot line (1-800-493-2998), which interested members of the public may call with questions or information. The Secretary has also been in contact with members of Congress and other officials within the Administration. After reviewing the matter, the Administration will make recommendations to Congress for appropriate compensation to any individuals who were injured by the experiments.

MEDICAL EXPERIMENTS: SUMMARY OF MAJOR CATEGORIES

1. **THE PLUTONIUM EXPERIMENTS.** CONDUCTED DURING THE CLOSING DAYS OF THE MANHATTAN PROJECT, MASSIVE DOSES OF PLUTONIUM WERE INJECTED INTO 18 MEN, WOMEN AND CHILDREN. THE SECRET EXPERIMENTS WERE CONDUCTED ACROSS THE COUNTRY, INCLUDING NEW YORK CITY AND SAN FRANCISCO. IT IS UNCLEAR WHETHER THESE SUBJECTS WERE INFORMED AS TO THE NATURE OF THE EXPERIMENTS.

INFORMATION ON THIS AND SOME OF THE OTHER ITEMS LISTED BELOW WAS PUBLICLY RELEASED IN THE MID-1980'S AS PART OF CONGRESSIONAL INVESTIGATIONS CONDUCTED BY MR. MARKEY AND THEN-REPRESENTATIVE AL GORE.

2. **PRISONER EXPERIMENTS.** STUDIES IN THE 1960'S, SPONSORED BY NASA AND THE DEFENSE DEPARTMENT, INVOLVED IRRADIATION OF THE TESTICLES OF APPROXIMATELY 130 PRISONERS IN THE STATES OF WASHINGTON AND OREGON. ALTHOUGH THE PRISONERS WERE APPARENTLY GIVEN SOME INFORMATION ON THE NATURE OF THE EXPERIMENTS AND WERE PAID SMALL SUMS FOR THEIR PARTICIPATION, THE ADEQUACY OF THIS "INFORMED CONSENT" WILL BE AT ISSUE. THIS WORK WAS ALSO RELEASED IN THE 1980'S.

3. **EARLY NUCLEAR MEDICINE EXPERIMENTS.** IN THE 1950'S AND 1960'S, FACILITIES FOR THE IRRADIATION OF PATIENTS WITH CANCER AND LEUKEMIA WERE CONSTRUCTED AT OAK RIDGE. THEY WERE PART OF THE HUMAN EXPERIMENTATION PROGRAM FROM 1960 - 1975 IN WHICH APPROXIMATELY 200 PATIENTS LIVED IN THESE FACILITIES AND RECEIVED VARYING - BUT SOMETIMES VERY LARGE - DOSES IN AN ATTEMPT TO PROVIDE IMPROVED RADIATION THERAPY FOR MALIGNANT DISEASES. THIS INFORMATION WAS ALSO RELEASED IN THE 1980'S.

4. DEFENSE EXPERIMENTS INVOLVING EFFECTS OF NUCLEAR WARFARE ON

TROOPS. BETWEEN 1960 - 1971, THE DEFENSE DEPARTMENT SPONSORED A PROGRAM AT THE UNIVERSITY OF CINCINNATI. SOME 87 TERMINALLY ILL PATIENTS WERE EXPOSED TO LARGE DOSES OF RADIATION COMPARABLE TO THOSE EXPECTED TO BE FOUND ON THE BATTLEFIELD.

5. THE FERNALD SCHOOL EXPERIMENTS. IN THE PAST FEW DAYS THE PRESS HAS REVEALED EXPERIMENTS CONDUCTED ON "SCORES" RETARDED YOUTHS AT THIS BOYS' SCHOOL NEAR BOSTON. APPARENTLY UNDER THE SPONSORSHIP OF THE ATOMIC ENERGY COMMISSION, THE EXPERIMENTS INVOLVED THE INGESTION OF RADIOACTIVELY-CONTAMINATED MILK AS A FORM OF A TRACER TO EXAMINE DIGESTIVE PROCESSES. WE ANTICIPATE LEARNING MORE ABOUT THIS IN OUR REVIEW.

6. VANDERBILT UNIVERSITY EXPERIMENTS. IN THE LAST FEW DAYS, THE PRESS HAS REVEALED EXPERIMENTS CONDUCTED AT THE VANDERBILT UNIVERSITY HOSPITAL FREE PRE-NATAL CLINIC AND FUNDED BY THE ATOMIC ENERGY COMMISSION. THE EXPERIMENTS INVOLVED INGESTION OF RADIOACTIVE MATERIALS IN PILL FORM BY HUNDREDS OF PREGNANT FEMALES ENTERING THE CLINIC FOR FREE PRE-NATAL CARE. THEY APPARENTLY WERE GIVEN NO NOTICE OF THE EXPERIMENTS, AND APPARENTLY NO CONSENT WAS RECEIVED. AT LEAST THREE CHILDREN OF THESE PREGNANCIES ARE REPORTED TO HAVE DIED AT A PREMATURELY-YOUNG AGE AND WE ARE RECEIVING HOT LINE CALLS FROM PERSONS WHO MAY HAVE BEEN INVOLVED WITH THIS WORK.

7. RADIOACTIVE IODINE INFANT EXPERIMENTS. RECENT NEWS REPORTS INDICATE THAT HUNDREDS OF INFANTS WERE INJECTED WITH LOW LEVELS OF RADIOACTIVE IODINE AROUND THE COUNTRY. THE EXPERIMENTS WERE DESIGNED TO DISCOVER METHODS OF DETECTING THYROID DISEASE IN INFANTS AND YOUNG CHILDREN. WE HAVE INCOMPLETE INFORMATION AS TO ANY CONSENT RECEIVED.

HUMAN SCIENTIFIC AND MEDICAL EXPERIMENTS
EXPERT TASK FORCE

- ◆ TASK FORCE SET UP UNDER SHIELD OF SECRETARY OF ENERGY ADVISORY BOARD.
- ◆ DR. RUTH FADEN ("FAY-DIN"), MEDICAL ETHICIST FROM JOHNS HOPKINS UNIVERSITY, TO HEAD TASK FORCE:
 - OPERATIONAL IN EARLY 1994
 - WILL INCLUDE DISTINGUISHED PROFESSIONALS FROM A WIDE VARIETY OF RELEVANT DISCIPLINES SUCH AS RADIATION BIOLOGY, MEDICAL ETHICS, LAW, HEALTH PHYSICS, ETC.
 - ANALYSIS WILL BE CONDUCTED AS OPENLY AS POSSIBLE (SOME MEETINGS MAY HAVE TO BE CLOSED TO PROTECT CONFIDENTIALITY OF INDIVIDUALS)
- ◆ TASK FORCE WILL REVIEW MATERIALS NOW BEING ASSEMBLED BY EACH DEPARTMENT OF ENERGY FIELD LOCATION:
 - FIELD OFFICES HAVE BEEN DIRECTED TO ASSEMBLE AND RETAIN ALL RELEVANT DOCUMENTS
 - THE DEPARTMENT IS CASTING THE NET WIDELY
 - ALL NECESSARY STAFF AND RESOURCES WILL BE PROVIDED
- ◆ WORK IS UNDERWAY WITH THE NATIONAL ARCHIVES TO ESTABLISH A CENTRAL LOCATION FOR RETENTION OF RECORDS FOR USE BY THE TASK FORCE

HUMAN SCIENTIFIC AND MEDICAL EXPERIMENTS
HOTLINE

- ◆ 340 CALLS ON VOICE MAIL AS OF 2:00 PM, MONDAY, DECEMBER 27, 1993:
 - NUMBER OF PERSONS STAFFING HOTLINE HAS TRIPLED SINCE THE TELEPHONE LINE OPENED THURSDAY AFTERNOON, DECEMBER 23, 1993, DUE TO THE LARGE NUMBER OF CALLS.
- ◆ CONCERN THAT THE MEDIA MAY BE MISUNDERSTANDING THE PURPOSE OF THE HOTLINE. THE DEPARTMENT IS TRYING TO LEARN THE SCOPE OF WHAT MAY HAVE OCCURRED.
 - HOTLINE ONLY TO BE USED BY PERSONS WHO SUSPECT THEY (OR FAMILY MEMBERS) WERE SUBJECTS IN MEDICAL OR SCIENTIFIC EXPERIMENTS CONDUCTED BY THE DEPARTMENT OF ENERGY OR ITS PREDECESSOR AGENCIES.
 - IF, AT A LATER TIME, OUR RESEARCH SHOWS THAT OTHER POPULATIONS MAY HAVE BEEN AFFECTED, WE WILL THEN SOLICIT INFORMATION FROM THE POTENTIAL SUBJECT GROUP.
- ◆ DUE TO PRIVACY CONCERNS, THE DEPARTMENT WILL NOT RELEASE INFORMATION ABOUT SPECIFIC CALLERS.
 - AS DATA IS COMPILED AND ANALYZED, THE DEPARTMENT WILL OPENLY SHARE AVAILABLE INFORMATION, SUBJECT TO PRIVACY AND ETHICAL REQUIREMENTS.

The New York Times

Circulation 1,068,217

DEC 27 1993

Paper Says Radiation Test Used 19 Retarded Youths

A14

Nineteen mentally retarded boys who thought they were participating in a science club in the 1940's and 1950's were actually fed radioactive milk by scientists who wanted to learn about the digestive system, The Boston Sunday Globe reported.

The experiment is one of several radiation studies from that time that have come under ethical scrutiny this year. The growing number of questionable experiments has led to a Federal investigation of radiation experiments done on people.

The Massachusetts experiments, carried out from 1946 to 1956, were done on retarded boys at the Fernald State School in Waltham, Mass. Scientists from Harvard University and the Massachusetts Institute of Technology fed radioactive forms of iron and calcium to the boys, sometimes in their breakfast milk, to study the body's ability to digest minerals, The Globe reported, quoting a scientist who participated in the studies and old school records.

While one researcher said that the radiation levels to which the boys were exposed were not harmful, other experts said there was no such thing as a safe level of exposure. The experiment exposed the boys to radiation that was at least the equivalent of 50 chest X-rays, The Globe reported.

The school sent a letter to parents but did not mention radiation. "We are considering the selection of a group of our brighter patients, including your son, to receive a special diet," said a portion of the letter printed in The Globe. The boys were told that they were part of a science club.

Energy Secretary Hazel R. O'Leary promised earlier this month to undertake an investigation of radiation experiments on civilians to learn if the volunteers gave consent and if they fully understood the risks.

A toll-free telephone line, (800) 493-2998, has been set up by the Department to gather information from people who think they may have been used in radiation experiments financed by the Federal Government.

Radiation used on retarded

Postwar experiments done at Fernald school

By Scott Allen
GLOBE STAFF

WALTHAM - Records at the Fernald State School list them as "morons," but the researchers from MIT and Harvard University called the retarded teen-age boys who took part in their radiation experiments "the Fernald Science Club."

In the name of science, members of the club would eat cereal mixed with radioactive milk for breakfast or digest a series of iron supplements that gave them the radiation-equivalent of at least 50 chest X-rays. From 1946 to 1956, scores of retarded teen-agers consumed radioactive food to help the researchers better understand the human digestive process.

"There is absolutely no ground for caution regarding the quantities of radioactive substances which we would use in our experiments," Massachusetts Institute of Technology biochemist Robert S. Harris assured Fernald's superintendent in a letter proposing the research in December 1945. At least some consent forms sent home to parents or guardians do not mention radiation.

The experiments at the Fernald School, which almost certainly would not be permitted today, are one of the darker corners of Massachusetts' atomic legacy. Along with pioneering the field of nuclear medicine, some of the state's leading academic institutions and hospitals also subjected the terminally ill, the elderly and others to radiation doses that are considered unsafe today, often with no possible benefit to the test subjects.

RADIATION, Page 45

BOSTON GLOBE DEC 26 1993

Though never secret - researchers published the results of the Fernald studies in scholarly journals - details of the research effort, funded partly by Quaker Oats Co. and the US Atomic Energy Commission, have sat in a jumble of boxes in the Fernald School library until now.

The Albuquerque Tribune of New Mexico sparked new interest in human radiation experiments last month with harrowing accounts of prisoners, mental patients and even pregnant women who were given plutonium and other radioactive material in government-supported research after World War II. US Energy Secretary Hazel O'Leary has started a federal review of human radiation experiments, promising to declassify government documents that shed light on the subject.

"It's very important that the public begin to see that secrecy at bottom is what lets this happen," said David Rush of Tufts University's Human Nutrition Research Center, who has written a book on radiation exposure to defense workers. He called the Fernald experiments "something of which American medicine should be ashamed."

But Constantine Maletskos, a former MIT researcher who studied how teen-agers at Fernald metabolized radioactive calcium, defended the experiments, saying they yielded important information about nutrition.

"I feel just as good about it today as the day I did it," he said. "The attitude of the scientists was we're going to do this in the best way possible. ... They would get the minimum radiation they could possibly get and have the experiment work."

The Fernald participants, who were between 15 and 17 years old at the time, would be in their 50s and 60s today.

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Maletakos does not know of any follow-up health studies on the Fernald subjects, but he maintains to this day that the children were not harmed because the radiation levels were so low. However, other radiation researchers, such as Richard Clapp of JSI in Boston, an epidemiology research group, believe there is no such thing as a safe level.

The experiments at Fernald grew out of nutritionists' concern that a diet heavy in cereal might slow down the body's ability to digest two important minerals, iron and calcium. The best way to study this problem, team leader Harris concluded, was to use a radioactive form of the two minerals, which are easy to detect in blood and human waste. Harris told Malcolm Farrell, superintendent

of Fernald at the time, that the boys would be eating radioactive food. But Farrell's 1946 letter to parents and guardians, still in a file at the Fernald library, makes no mention of radiation. "We are considering the selection of a group of our brighter patients, including your son, to receive a special diet rich in iron and vitamins, the form letter reads.

Authorities at Fernald referred questions to the Department of Mental Retardation, which now runs the school. State officials last week said they were unaware of the tests, and they said such work would be extremely unlikely today.

"We should always be concerned that these things can happen to a population that's been devalued. We have to continually have safeguards in place to reduce the chance that it will ever happen again," said mental retardation Commissioner Philip Campbell.

The federal review is likely to involve a number of research institutions in Massachusetts, which received more shipments of radioactive isotopes for research than any other state except New York from 1946 to 1961, according to federal records.

Much of the radioactivity was used for health-related research - for example, MIT discovered that radioactive paint used on luminous watches was making workers sick. But sometimes the subjects of the research were little more than "human guinea pigs," as US Rep. Edward J. Markey, Democrat of Malden, said in a 1986 report. Markey found that MIT researchers studying the watch workers' plight fed 20 elderly people radium to see how it passed through their bodies. He also found that Massachusetts General Hospital in Boston injected radioactive uranium into terminally ill patients in the 1950s to measure its effect on kidneys.

A US Atomic Energy Commission index of where it shipped radioactive isotopes, obtained by the Center for Atomic Radiation Studies of Brookline, suggests that human experimentation in Massachusetts may have been more widespread. The index, which covers 1946 to 1961, lists experiments at the Framingham Veterans Administration hospital, tests of "the long-term toxic effects of radio-iodine" at Beth Israel Hospital in Boston, as well as the research at Fernald.

"What we are seeing in the local experimentation is that sometimes the face of evil can turn out to be authority infected by opportunism and arrogance," said Dan Bernstein, president of the Center for Atomic Radiation Studies, a small, nonprofit group that follows use of radioactive material.

But Philip Reilly of the Shriver Center for Mental Retardation in Waltham, author of a book on forced sterilization of the retarded, cautions against applying today's standards to experiments done decades ago. After all, the US Public Health Service conducted its Tuskegee syphilis experiment - in which black men were denied treatment to see how the disease affected them - until it came to public attention in 1972.

Still, Reilly said, the human radiation researchers can be held accountable. "They had to realize that any radiation beyond background radiation involved some risk," Reilly said. At Fernald, he said, "they were not being up front by their own standards at that time."

Researchers called the teenagers who

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took part in the Fernald experiments a "science club" even though they had the "mental age" of 8-year-olds. "I guess they were calling all these kids who were doing this a club to make them develop a rapport among themselves," said Maletskos, who was not involved in recruiting participants.

In the first battery of tests, conducted in 1946 before Maletskos arrived, 17 adolescent boys ate meals laced with radioactive iron, an isotope that can harm blood and the spleen. Based on figures in an unpublished report on the project, the children's spleens were exposed to between 644 and 1,024 millirems of radiation over the course of seven meals. By comparison, the typical American receives about 300 millirems of radiation from natural sources each year.

Next, the team studied calcium digestion by adding a radioactive form of calcium to the breakfast milk of 19 boys. This time, each child had only one radioactive meal, exposing each child's bones to 35 millirems of radiation. By comparison, during their lifetimes, most Americans will receive 110 millirems of radiation on their bones from the fallout of nuclear weapons testing, according to Jacob Shapiro, director of radiation protection at Harvard University.

Maletskos said the research team did everything possible to minimize exposure using animals to develop test procedures first and then limiting each boy's participation. "If you could do it any other way, we did not recommend radiation," said Maletskos, a biophysicist who is still researching the effects of radium and thorium on health.

Shapiro declined to say whether the experiments were dangerous, but he added, "I would ask a colleague of mine, would you let your child get that dose?"

Records at the Fernald library are incomplete, but they are dotted with references to radiation research from 1946 to 1956, including a list of 49 children invited to an annual Christmas party at MIT as a reward for taking part in the experiments. "I can remember vividly the kids singing the red-nosed reindeer song, and it was very well done," recalled Maletskos.

Even if the radiation levels were trivial, mental health experts today say that the Fernald experiments probably could not be repeated. Today, human experiments must win approval from two independent review boards that force researchers to consider alternatives and calculate the risks. And in any human tests, subjects or their guardians must have all the facts before they can agree to participate.

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NewsExpress

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*United States
Department of Energy*

The Plutonium Experiment

Americans recoiled when the Nazis conducted brutal experiments on humans. But as the world was learning of those horrors, U.S. scientists injected plutonium into 18 people without their informed consent to see how the element that fuels atomic bombs reacts in the body. The identities of these human guinea pigs were hidden for almost 50 years.

Until now.

BY EILEEN WELSOME

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CONTINUED

A SPECIAL REPRINT
OF A THREE-DAY REPORT PUBLISHED
NOV. 15-17, 1993

The Plutonium Experiment

The experiment began in the hot, fretful dawn of the Atomic Age in quiet hospitals far removed from the New Mexico desert where scientists were putting the finishing touches on a "gadget" that would alter the course of history.

In the wards of the sick and dying, syringes were loaded with an ingredient so secret it was known only as "the product." Then, in quick succession, the needles were plunged into the veins of an auto accident victim in Tennessee, a cancer patient in Chicago, a house painter in San Francisco.

The product was plutonium, the highly radioactive substance that would power the brilliant mushroom cloud over Alamogordo three months later. But what did plutonium — the ingredient in a weapon that President Truman would boast harnessed the power of the universe — do in the human body? How long did it circulate in the blood? Where did it lodge in the bone? How quickly was it excreted?

The experiment was approved by the U.S. Army's Manhattan Project, the wartime machine that developed the atomic bomb. Some contemporary scientists compare the project to the human experiments conducted in Nazi Germany. Others defend it.

In all, scientists injected 18 people with plutonium between 1945 and 1947. Even as the plutonium was being administered, the Army colonel listed in documents as primarily responsible for the experiment was describing plutonium as the "most poisonous chemical known."

The patients were ordinary people with one thing in common: life-threatening illnesses that made survival beyond 10 years "highly improbable." They included a boy of slight build who was just two months shy of his fifth birthday, a malnourished alcoholic, an 85-pound woman suffering from widespread cancer.

With the possible exception of one patient, The Tribune found no written evidence that any of the patients were informed of the nature of the experiment or gave consent. Most of them probably went to their graves not knowing they had been injected with one of the most potent cancer-producing chemicals on Earth.

One patient received "many times the so-called lethal textbook dose" of plutonium. That patient and five others received radiation doses to the bone that a scientist 30 years later calculated as being high enough to cause tumors.

One-third of the patients outlived their doctors' grim predictions, and in the early 1970s, four still were living when a follow-up study began. Scientists took urine, blood and stool samples from three to measure the plutonium remaining in their bodies. Scientists also sought exhumations of deceased patients.

Neither the survivors nor the relatives of the deceased plutonium patients initially were told the real reason for the government's interest. In some cases, the relatives were lied to when permission for exhumation was sought.

"This is one of the great, dark stories of the nuclear era," said Arjun Makhijani, president of the Institute for Energy and Environmental Research in Washington, D.C., a non-profit group that studies nuclear issues. "The public is not aware of the depths to which many universities, doctors and scientists descended."

Los Alamos National Laboratory played a major role in the experiment's first phase. The lab analyzed the excretion samples of the patients injected in a Rochester, N.Y., hospital and later published a classified report that has become the definitive source document on the experiment.

The data, some scientists say, helped protect thousands of workers at nuclear facilities from being overexposed to plutonium and did not harm the patients or contribute to their deaths. Others say the experiment was unethical and bad science because, among other reasons, the sample size was too small.

The experiment itself has received limited attention in the media. But to this day, the patients' identities have been known by numbers only.

Six years ago, The Tribune began a search to find them. We thought they deserved to be remembered as something more than numbers, something more than laboratory animals who contributed to science a wealth of data on how plutonium is deposited in the human body — its heart, skeleton, even its

ashes.

Working with scant data from scientific reports and a few clues from government documents, we determined the identities of five of the 18 patients.

In the next few days, The Tribune will tell you how these ordinary Americans unwittingly were swept up by the hot winds of the Atomic Age. We also will tell you about how their families weren't told the truth for almost 50 years.

The first patient we found was a railroad porter named Elmer Allen, identified in records as "Cal-3." Elmer was injected with plutonium in the left calf, and three days later, his leg was amputated for what was thought to be a pre-existing bone cancer.

The second patient was a California house painter named Albert Stevens, known as "Cal-1." Albert received a massive dose of plutonium four days before undergoing surgery for stomach cancer. But he didn't have stomach cancer. Specimens of his spleen, rib and body tissues later show up in a report titled "A Comparison of the Metabolism of Plutonium in Man and the Rat."

The third patient was "HP-6," a man named John Mousso who suffered from Addison's disease and struggled to make ends meet in a small town outside Rochester, N.Y.

The fourth was Eda Schultz Charlton, identified as "HP-3" in official records. Eda's condition was monitored for almost 35 years by the University of Rochester's Strong Memorial Hospital. She underwent dozens of diagnostic tests ranging from X-rays to biopsies and barium enemas, and she developed an obsessive fear of cancer.

And finally, there was "HP-9," a man named Fred C. Sours, a political official in a Rochester suburb whose body was exhumed 31 years after his death and sent to a national laboratory near Chicago. His remains were kept there for more than three years.

Who are the others? The malnourished alcoholic? The auto accident victim in Tennessee?

We don't know. And the government won't say.

We've filed two legal requests under the Freedom of Information Act with the Department of Energy, the sprawling agency that eventually took over many functions of the wartime Manhattan Project.

The first was filed in 1989. The second, filed more than a year ago, was a seven-page request based on the DOE's own documents — including a 1974 report detailing an internal inquiry into the experiment conducted by its predecessor agency, the Atomic Energy Commission.

We've received some documents from the DOE, but it is still withholding many of the most important records, such as medical files and other correspondence that would identify the other patients. The DOE said it doesn't even have a copy of the findings of its own investigation — an investigation that involved teams of officials who reviewed numerous records, conducted interviews with scientists in 14 cities and returned to Washington with 250 documents.

The plutonium experiment began in the hubris of a new age. Among its advocates and architects were some of the brilliant young scientists from Los Alamos who, from behind protective lenses, watched on the morning of July 16, 1945, when a man-made explosion outshone the New Mexico sun.

A half century has elapsed. The Cold War is over, and the bombs are being dismantled. Still, the DOE refuses to relinquish the identities of the victims of one of its darkest secrets.

"This is one of the great, dark stories of the nuclear era. The public is not aware of the depths to which many universities, doctors and scientists descended."

Arjun Makhijani

Institute for Energy and Environmental Research

.....Washington, D.C.

Secret Nuclear Research on People Comes to Light

By KEITH SCHNEIDER **A1**

For three decades after World War II, top medical scientists in the nation's nuclear weapons industry undertook an extensive program of experiments in which civilians were exposed to radiation in concentrations far above what is considered safe today.

The experiments, at Government laboratories and prominent medical research institutions, involved injecting patients with dangerous radioactive substances like plutonium or exposing them to powerful beams of radiation.

Now the Energy Department is doing an about-face, acknowledging that for the last six years it has ignored evidence of abuses and a Congressional request to uncover the full extent of the experimentation and compensate subjects.

Energy Secretary Hazel R. O'Leary has promised a full investigation, much of it focusing on whether civilians were fully informed of the risks and consented to take part in the experiments. Mrs. O'Leary said it was clear in several cases she had personally reviewed that subjects had not been fully informed. But she and several of her aides also said it was just as clear that other experiments had been conducted in accord with medical and ethical standards of the time.

During the years when much of the research was undertaken, considerably less was known about the hazards of radiation. It was common in the 1950's, for instance, for shoe stores to use X-ray machines to fit customers.

The Government's nuclear scientists, conducting their work as though atomic war were imminent, placed a top priority on research to determine the affect of radiation on soldiers and civilians. And such research clearly advanced nuclear medicine to fight disease and save lives.

Although there have been glimpses of these experiments in the past, most recently in a 1986 Congressional investigation, the Government has long fought efforts by journalists, private investigators and the families of patients to make the full story known.

Now Mrs. O'Leary has vowed to shine a bright light into what her aides say is a dark corner of America's cold war legacy. Prompted by a series of articles last month in The Albuquerque Tribune about one such experiment, Mrs. O'Leary has ordered the most thorough investigation ever of her De-

partment's biomedical experiments.

The investigation will be part of a larger effort by the Energy Department to declassify millions of pages of secret documents on past activities of the nuclear weapons industry. As part of that effort, the Department has hired six archivists to comb classified records at the National Archives. Mrs. O'Leary has also increased the number of employees in her own department who review and declassify documents from three to six, and she has announced plans to train more people to do such work.

In an interview, Mrs. O'Leary said the investigation was motivated by a "an obligation to put the public's mind at rest and expose things that need exposing."

Her initiative, if successful, would help improve the department's image as officials work to resolve huge conflicts over dismantling the nation's nuclear arsenal and cleaning up its weapons plants.

Prisoners Subjected to X-rays

Two of the experiments under review by the department ended in the early 1970's and involved exposing the testicles of more than 100 healthy state prison inmates in Oregon and Washington to very high levels of radiation from X-ray machines. Documents show that the prisoners were paid small sums to participate and were required to sign consent forms in order to take part.

But Robert Alvarez, a special assistant in the Office of Policy Planning and Program Evaluation — and one of the many influential critics of the Energy Department who now work for Mrs. O'Leary — said the consent forms had not fully explained the risks of the experiment, especially the risk of developing testicular cancer. He added that no follow-up studies were conducted on the men who participated.

"These prisoner studies were clearly unethical," Mr. Alvarez said.

But the study was defended by Dr. C. Alvin Paulsen, a retired professor of medicine at the University of Washington School of Medicine who helped conduct the experiments in that state. He said he had kept audio recordings of interviews with inmates that showed they had been well informed about the intent of the research and the possible risks, including cancer.

Needed a Restricted Population

"The question we asked was: What was the minimal effect of radiation that would interfere with the development of sperm?" said Dr. Paulsen, who is now 69 and lives in Seattle. "And given that there might be some decrease in sperm production, would there be full recovery?"

"At that time, the start of the nuclear era, we felt it wouldn't be ethical to expose someone to radiation if we couldn't follow them up. Prisoners provided an opportunity for us to follow these gentlemen for four and five years. We demonstrated that there was recovery of sperm, and we couldn't have done that in the open, mobile population."

He said that even today "there is no evidence that irradiation induces testicular cancer."

But at least one research manager found some of the human experiments so alarming that he warned his colleagues. In a memorandum on Dec. 12, 1963, C. E. Newton Jr., a research manager at the Hanford nuclear weapons plant, warned, "The experiments do not appear to have been in compliance with the criminal codes of the state of Washington, and there is some question as to whether or not the experiments were conducted in compliance with Federal laws."

When asked about this memorandum, a contractor who retains the relevant records said he did not have records of the experiments to which the memo referred.

Other experiments, at the Oak Ridge National Laboratory in Tennessee, exposed patients with leukemia and other cancers to exceptionally high levels of radiation from cesium and cobalt isotopes. Nearly 200 patients, including a 6-year-old boy, were made subjects of the experiments before the Atomic Energy Commission called a halt to them in 1974, saying they had done little to benefit the patients.

Openness Is Applauded

There is no central repository for records on these or other medical research programs, said Dr. Tara O'Toole, the Assistant Secretary of Energy for Environment, Health and Safety, who will be heading the investigation. The records are stored at atomic laboratories, private medical schools and research centers across the country. Among the universities that will be searching for documents are the University of Chicago, the Massachusetts Institute of Technology, the University of Rochester, the University of California system, the University of Washington and Vanderbilt University.

Mrs. O'Leary's interest in such a potentially explosive subject has drawn applause from some of the Department's foremost critics. Tom Carpenter, a Seattle lawyer with the Government Accountability Project, a legal group that represents Energy Department whistle-blowers, said: "She sees this as part of the process of disclosure that is necessary to rebuild public trust in the agency."

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The New York Times

Circulation 1,068,217

DEC 17 1993

"She's surrounded herself with advisers who were members of the public interest community, and they have told her this kind of stuff needs to get out."

Even so, the Energy Department said it faced legal barriers to disclosing information in its files, especially in complying with laws protecting the privacy of patients or their families.

Just how slow and cumbersome disclosure can become was graphically illustrated over the last six months as the Energy Department sought files from the Argonne National Laboratory outside Chicago on human experiments involving plutonium.

One experiment, conducted from 1945 to 1947, involved injecting 18 patients with plutonium, a dangerous radioactive material developed for use in atomic bombs. The Albuquerque Tribune tracked the stories of five patients, including Eda Schultz Charlton, who was injected without her knowledge in a Rochester hospital in 1945. Apparently not seriously ill at the time, she lived until 1983, when she died at age 85.

Eileen Welsome, a reporter at The Tribune, filed a request under the Freedom of Information Act that the Energy Department make public all its documents relating to the experiment, including the names of people who were injected. In May, Energy Department officials asked Argonne to send the files to headquarters in Washington so they could be made public.

Privacy Issue Looms

But in the last six months, Argonne has sent only a few documents to the Department. Harry Conner, an Argonne spokesman, said lawyers for the University of Chicago, which manages the laboratory, were concerned that disclosing the identities of the people who were injected, all of whom have died, could violate the privacy of family members.

Last week, the University of Chicago agreed to release hundreds of pages of documents but only after officials there were persuaded that the department was sensitive to the privacy issues, Mr. Conner said.

Marc Johnston, an Energy Department lawyer in Washington, said he was expecting the files to arrive over the next few weeks. Before they are made public, the department will review them and remove all names and any other information that could identify the participants, a process that could take weeks more, Mr. Johnston said.

Mrs. O'Leary and Dr. O'Toole said such steps were necessary. The investigation into human experimentation is likely to uncover information that surviving participants, members of their families, and the public will find quite disturbing. "Does the public's right to know include releasing names," Dr. O'Toole asked. "It's not clear to me

that is part of the ethical obligation of the Government."

Administrators at some of the research hospitals and universities involved have said they are worried that unless the Energy Department is careful in how it releases the information, the reputations of their institutions could be harmed. Mrs. O'Leary has appointed a medical ethicist from Johns Hopkins University to help guide the department.

Robert Loeb, the director of public information at Strong Memorial Hospital at the University of Rochester, where some of the studies were conducted, said: "In the 1940's, what was typical in research involving human subjects was for physicians to tell the patients that they would be involved in a study and not always give full details. That is not the standard today. Many of these studies would be impossible to conduct today."

CONTINUED

Energy Official Seeks to Assist Victims of Tests

By KEITH SCHNEIDER **A1**

Energy Secretary Hazel R. O'Leary yesterday called on the Government to compensate Americans who were exposed to radiation from human medical experimentation that the United States conducted for decades after World War II.

Mrs. O'Leary said her appeal on behalf of people who were used as subjects in the medical testing was prompted by the Government's long resistance to providing compensation to thousands of people in the Southwest known as "downwinders" — those who asserted that they or members of their families were harmed by radioactive fallout from open-air testing of atomic bombs in the 1950's and early 1960's.

"I looked at the history of the Energy Department with the downwinders where the department for some years really did battle with these people to hold off their ability to make claims," Mrs. O'Leary said in an interview. "It doesn't occur to me that is the posture I want to be in."

'Make These People Whole'

Referring to the thousand or more subjects of radiation experiments, the Secretary added: "It seems to me that my position ought to be, what does it take to make these people whole? If they can prove there was no consent for the experimentation and harm resulted from the experiments, they or members of their families are going to want something more than a formal apology."

Mrs. O'Leary's first statement on compensation came in an interview on CNN yesterday morning after she was asked if she would consider compensation. She replied: "Many have suggested, and I tend to agree personally, that those people who were wronged need to be compensated. And we ought to go forward and explain to the Congress what has happened, and let the Congress of the United States and the American public determine what would be appropriate compensation."

The Secretary said she was acting largely on her own in calling for compensation for anyone who was harmed during the decades of human medical experimentation conducted by the Atomic Energy Commission. The nu-

clear weapons industry later came under the ownership and management of the Department of Energy. She said she notified the White House on Monday that she would propose a measure to provide compensation.

If approved by the Clinton Administration and Congress, it would be the fifth time since the early 1950's that the Government has compensated people put in jeopardy by radiation from the American nuclear weapons industry. The first four, however, were initiated by foreign governments or the American victims.

Two Departments in Conflict

Secretary O'Leary's comments were the first in which a head of the nuclear weapons industry initiated the Government's effort to apologize and compensate people who may have been harmed by its nuclear materials.

Her appeal for compensation, though, puts the Department of Energy in direct conflict with the Department of Justice. In every other instance in which Congress considered legislation to compensate people exposed to harmful levels of radiation, including the case of the downwinders in the Southwest, the tort branch of the Justice Department's civil division has opposed the effort.

The department has also defended the Government in lawsuits, dating to the early 1950's, in which ranchers, soldiers, uranium miners and the industry's own workers asserted that they had been harmed by radiation from the nuclear weapons industry.

Department lawyers are now defending the Government in a case in Nevada in which the families of more than 200 weapons industry workers, most of whom have died, contend that their relatives were injured or killed by radiation from atomic bomb testing at the Nevada Test Site northwest of Las Vegas.

In that case, which began in Las Vegas on Dec. 13, several of the Government's chief medical witnesses are doctors who conducted the human medical experiments that have come under Mrs. O'Leary's scrutiny.

Three Witnesses Named

One witness is Dr. Constantine Malletskos, a former researcher at the Massachusetts Institute of Technology who performed radiation experiments on retarded teen-age boys at the Fernald State School in Waltham, Mass.

Another is Dr. Clarence Lushbaugh, who directed several human medical experiments, including several in which children were exposed to radiation, at a research institution financed by the Atomic Energy Commission in Oak Ridge, Tenn. Some of Dr. Lushbaugh's studies were halted in the early 1970's after officials of the commission said they had done little to provide medical benefits for the patients involved.

A third witness is Dr. Eugene Saenger, a retired radiologist at the University of Cincinnati College of Medicine who in the 1960's and 70's exposed indigent cancer patients to levels of radiation that were known to make people acutely ill. According to records of the studies, which were performed for the Defense Department, 9 of the first 40 people exposed to the radiation died within 38 days.

All three doctors have maintained in interviews with Congressional researchers and journalists over the years that their work had been ethical and proper.

Potential for Conflict

Mrs. O'Leary said she had not talked with Janet Reno, the Attorney General but was aware of the potential for conflict with the Justice Department. "I cannot imagine there would be any other posture that I could take on this," she said. "I am also clear on the fact that the Justice Department may come from another position and point of view."

The Justice Department today said it would not comment on Mrs. O'Leary's proposal.

Mrs. O'Leary's appeal for compensation came three weeks after she directed the Department of Energy to investigate the experiments, determine their ethical and medical propriety, and locate test subjects or members of their families.

Stewart L. Udall, who was Secretary of the Interior in the Kennedy and Johnson Administrations, said yesterday that Mrs. O'Leary's appeal for compensation was breathtaking.

"It's a very bold step," said Mr. Udall, who as a lawyer helped prepare the Nevada Test Site case and two others on behalf of thousands of Americans who believed they had been victimized by the nuclear weapons industry. "Hazel O'Leary is talking to the country. She is saying there were grievous things done to people and, in effect, she is apologizing to the country. But it's not clear anybody else in the Government is listening. The next thing the Clinton Administration ought to do is pull everybody together so they can talk to each other."

MEMORANDUM TO U. S. DEPARTMENT OF ENERGY STAFF

FROM: MICHAEL GAULDIN, DIRECTOR *MG*
OFFICE OF PUBLIC AND CONSUMER AFFAIRS

SUBJECT: REFERRAL NUMBERS FOR PUBLIC CALLS ON RADIATION
EXPERIMENTS AND RELATED SUBJECTS

Many individuals have been calling the U.S. Department of Energy about the radiation experiments conducted by the Atomic Energy Commission and related subjects. The following information should help you direct the callers to the appropriate hotline or office:

If you believe you were the subject of radiation experiments conducted by the Atomic Energy Commission, please call the Human Experimentation Hotline:

1-800-493-2998 (8:30 a.m. - 4:30 p.m. EST M-F)

If you believe that you were a participant in atmospheric nuclear testing or the bombing of Nagasaki or Hiroshima, please call the National Test Personnel Review Hotline:

1-800-462-3683 (8:00 a.m. - 5:00 p.m. EST M-F)

If you have a comment or complaint about the U.S. Department of Energy, please call the Inspector General's Waste and Fraud Abuse Hotline:

1-202-586-4073 (8:30 a.m. - 4:30 p.m. EST M-F)

If you have general questions about the U.S. Department of Energy, please call the Office of Public Information:

1-202-586-5575 (9:30 a.m. - 5:00 p.m. EST M-F)

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To <i>Michael Gouldin</i>	From <i>Jesse Brown</i>
Co.	Co.
Dept.	Phone #
Fax # <i>586-9987</i>	Fax #

Office of Public Affairs
News ServiceWashington, D.C. 20420
(202) 535-8300

Veterans Affairs

News Release

FOR IMMEDIATE RELEASE

BROWN PLEDGES QUICK ACTION ON REVIEW OF NUCLEAR MEDICINE RESEARCH RECORDS

Washington, Dec. 31 -- Secretary of Veterans Affairs Jesse Brown announced that VA will immediately look into nuclear medicine research conducted at VA facilities in the '40s and '50s.

Said Brown, "We are collecting the records of clinical research conducted at VA hospitals which utilized nuclear medicine. In order to be certain that the research was properly conducted, I have ordered an immediate review of the circumstances surrounding this research at VA facilities."

Brown stated that VA will cooperate fully with all interested agencies and members of Congress. "We plan to leave no stone unturned in our review of this research," said Brown. "If we find that veterans were subjected to improper research, that would be morally and ethically unacceptable to me. We are going to look at all the facts and, if we determine that VA was engaged in any inappropriate research, we will disclose that finding to the American people, notify veterans involved and take appropriate action," he added.

VA is working closely with the Department of Energy and the Department of Defense. This cooperative effort will allow us to expedite our review of records that may contain information on nuclear medicine research.

In addition, VA is asking the veterans service organizations to help the department raise awareness in the veteran community. "Veterans who are concerned should call VA's national toll-free number -- 1-800-827-1000 -- and their cases will be promptly investigated by VA personnel," Brown added.

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EDWARD J. MARKEY, MASSACHUSETTS, CHAIRMAN

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WASHINGTON, DC 20515

October 24, 1986

The Honorable John S. Herrington
Secretary
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Secretary Herrington:

As you know, the Subcommittee on Energy Conservation and Power has been conducting an investigation into radiation experimentation for human subjects. I am forwarding to you the results of that investigation, a Subcommittee staff report titled, "American Nuclear Guinea Pigs: Three Decades of Radiation Experiments on U.S. Citizens."

This report reviewed Department of Energy documents, which revealed the frequent and systematic use of human subjects as guinea pigs for radiation experiments sponsored by the Department's predecessor agencies. Some of these experiments were conducted in the 1940s and 1950s, and others were performed during the supposedly more enlightened 1960s and 1970s. The report describes in detail 31 experiments during which about 695 persons were exposed.

In many of these experiments, individuals were exposed to radiation which provided little or no medical benefit to the subjects. The purpose of several of these experiments was actually to cause injury to the participants. Many others sought simply to measure the effects of radiation on humans. American citizens thus became nuclear calibration devices for experimenters run amok.

In a number of experiments, subjects received doses that exceeded presently recognized limits for occupational radiation exposure. Doses were as much as 98 times the body burden recognized at the time the experiments were conducted.

Too many of these experiments used human subjects that were captive audiences or populations that some experimenters frighteningly perhaps might have considered "expendable:" the elderly, prisoners, hospital patients suffering from terminal diseases or who might not have retained their full faculties for informed consent.

The Honorable John S. Herrington
October 24, 1986
Page Two

Some of the more repugnant or bizarre of these experiments include the following:

--From 1945 to 1947, as part of the Manhattan Project, 18 patients believed to have limited life spans were injected with plutonium.

--From 1961 to 1965, at the Massachusetts Institute of Technology, 20 elderly subjects were injected or fed radium or thorium.

--During 1946 and 1947, at the University of Rochester, six patients with good kidney function were injected with uranium salts to determine the concentration which would produce renal injury.

--From 1953 to 1957, at Massachusetts General Hospital, Boston, approximately 12 terminal brain tumor patients were injected with uranium to determine the dose at which kidney damage began to occur.

--From 1963 to 1971, 67 inmates at Oregon State Prison and 64 inmates at Washington State prison received x-rays to their testes to examine the effects of radiation on human fertility and testicular function.

--From 1963 to 1965, at the Atomic Energy Commission's National Reactor Testing Station in Idaho, radioactive iodine was purposely released on seven separate occasions. In one experiment, seven human subjects drank milk from cows which had grazed on iodine-contaminated land.

--From 1961 to 1963, at the University of Chicago and Argonne National Laboratory, 102 human subjects were fed real fallout from the Nevada Test Site; simulated fallout particles containing radioactive material; or solutions of radioactive cesium and strontium.

--During the late 1950s, at Columbia University and Montefiore Hospital, the Bronx, 12 terminal cancer patients were injected with radioactive calcium and strontium.

These experiments, and others described in the Subcommittee staff report, shock the conscience and represent a black mark on the history of nuclear medical research. They raise one major horrifying question: did the intense desire to know the consequences of radioactive exposure after the dawn of the atomic age lead American scientists to mimic the kind of demented human experiments conducted by the Nazis? Did the Department or its

The Honorable John S. Herrington
October 24, 1986
Page Three

predecessor agencies fund or sponsor programs which crossed the line that no scientific research can ever be permitted to traverse?

While it is clear that present public and scientific officials are generally not responsible for these experiments, these circumstances nonetheless represent a historical, institutional failure. To compound the evil, in too many experiments, no long term follow up was conducted of subjects. While these experiments cannot be undone, though they must never be repeated, there are potential remedial steps that can be taken to help the victims who served as human nuclear guinea pigs.

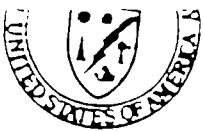
I therefore urge the Department of Energy to make every practicable effort to identify the persons who served as experimental subjects, to examine the long term histories of subjects for an increased incidence of radiation-associated diseases, and to compensate these unfortunate victims for suspected damages. A Defense Department program provides a model for such follow up. The Nuclear Test Personnel Review, administered by the Defense Nuclear Agency, is a registry for military personnel exposed to fallout from atmospheric nuclear tests. The primary objectives of the Review are to identify the approximately 200,000 Defense Department personnel involved in such tests, to determine their exposures, to identify incidences of death or illness, and to assist veterans in claims for compensation.

If such an effort can be carried out for military personnel acting in the line of duty, surely a similar effort should be possible for the far smaller number of peaceful atomic soldiers used as unwitting human subjects in radiation experiments. If you feel that new legislation would be necessary, the Subcommittee will be pleased to work with the Department to develop it.

If you have any questions on the material in this letter or the Subcommittee staff report, please contact John Abbotts or Larry Sidman at 202-226-2424. I look forward to receiving by November 15, 1986 a description of the Department's plans for long term follow up of these experimentally irradiated subjects, and your recommendation for what new legislation, if any, might be needed for compensation.

Sincerely,


Edward J. Markey
Chairman



February 10, 1987

Honorable Edward J. Markey
Committee on Energy and Commerce
House of Representatives
Washington, D.C. 20515

Dear Mr. Markey:

This is a further response to your October 24, 1986, letter regarding experiments in which human subjects were subjected to ionizing radiation during the period 1945-1971. An interim response was sent to you by Dr. Charles Delisi.

My staff has prepared answers to the questions raised in your letter and in your Subcommittee's staff report. Their findings are presented in the enclosed addendum. The conclusion, based on the radiation dosimetry information and for other reasons which follow, is that there is no scientific reason to expect that any of the subjects who are not already being monitored will incur any harmful effects. Therefore, there is neither any reason for attempting any further follow-up studies on these subjects nor to propose new legislation to compensate them.

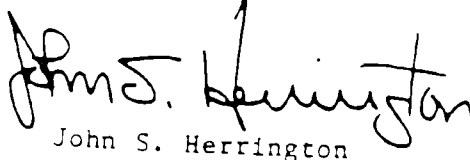
The objections that are emphasized in your letter and in the Subcommittee's staff report appear to have been based on misunderstandings of the basis for occupational standards and of the principles of human experimentation. As is discussed in the National Council on Radiation Protection and Measurements Report No. 39, Basic Radiation Protection Criteria, the basic criteria for the use of radiation in research on human subjects are that radiation is the preferred agent for performing the study, that methods providing maximum information with minimum dose should be utilized, and that the information should be obtained with the smallest practicable levels of radiation. The significant features for all human experimentation are that the propriety and usefulness of the work is assured, that adequate safeguards are provided, and that enlightened consent of the subject is assured.

The requirements for informed consent have undergone considerable development in recent years. At the time of the experiments in question the modern requirements for institutional review boards and signed informed consent had not been established. We have no evidence that the experiments were not conducted in compliance with the ethics as well as the rules for human experimentation that obtained at the time. The current

policies of the Department of Energy are in substantial conformance with the provisions of the Model Federal Policy for the Protection of Human Subjects, which is in the process of being adopted.

Additional comments on the specific experiments are made in the enclosed addendum to this letter.

Yours truly,

A handwritten signature in dark ink, appearing to read "John S. Herrington". The signature is written in a cursive style with a large, prominent "H" and "J".

John S. Herrington

Enclosure

ADDENDUM

Comments on October 24, 1986, letter from Congressman Markey and staff report of Subcommittee on Energy Conservation and Power, "American Nuclear Guinea Pigs: Three Decades of Radiation Experiments on U. S. Citizens."

In compliance with the request by Congressman Markey that the Department of Energy attempt to identify the persons who served as experimental subjects for certain radiation experiments that were conducted during the period 1945-1971, the cognizant field offices and some individual investigators were asked to evaluate the feasibility and necessity of such an effort. The results of this investigation follow.

General comments. The Subcommittee's staff report is substantially an excellent summary of the radiation experiments that involved human subjects. It is flawed, however, by a pervasive misunderstanding of the applicability of occupational exposure standards to experimental studies that involve only one or a few radiation exposures.

The objections emphasized in the letter and in the Subcommittee's staff report are directed to those experiments in which the radiation dose or the body burden exceeded occupational standards, those that offered little or no direct benefit to the subject, and those for which there is no record of informed consent having been obtained. To a large extent, these objections are based upon misunderstandings of the basis for occupational standards and of the principles of human experimentation.

It should be realized that the standards that have been developed for occupational radiation exposures assume that a large number of people will be exposed, and that the radiation exposures are sustained throughout a working lifetime of several decades. Therefore, because some radiation effects are cumulative, the annual exposure limits are set low enough to insure that the total radiation dose accumulated over many years is safe. Similarly, the standards for body burdens of internally distributed radioactive materials assume chronic exposures that will maintain these body burdens throughout the working lifetime of the individual. These standards are not intended to be applied to research subjects who receive one or a few exposures, or in which the internally distributed radioactivity is present for a relatively short time. The use of radiation in research on human subjects is discussed in the National Council on Radiation Protection and Measurements (NCRP) Report No. 39, Basic Radiation Protection Criteria, page 104. As is discussed there, the basic criteria are that radiation is the preferred agent for performing the study, that methods providing maximum information with minimum dose should be utilized, and that the information should be obtained with the smallest practicable levels of radiation.

Although desirable, there is no requirement that human experiments provide a direct benefit to the subject. This principle is generally recognized for all types of medical research. The use of placebos in therapeutic trials is a common example. In particular, for radiation studies, again citing NCRP report No. 39, "In many instances, research

involving radiation can be conducted on individuals where the information gained may be directly beneficial to the individual exposed. In other studies, radiation may be employed for the study of populations in which, for example, etiological and developmental factors are being evaluated. The benefits to the individual are primarily indirect, often remote, and, in some instances, nonexistent." The significant features for all human experimentation are that the propriety and usefulness of the work is assured, that adequate safeguards are provided, and that enlightened consent of the subject is assured.

The requirements for informed consent have undergone considerable development in recent years. At the time of the experiments in question, the modern requirements for institutional review boards and signed informed consent had not been established. The first studies of concern were conducted during the Manhattan Project. It was necessary to establish rather quickly and under secret conditions the precautions that would be required to insure the health and safety of people working with new and unfamiliar substances such as plutonium compounds. The physicians and other scientists who were called upon to achieve these goals were highly qualified and well motivated individuals. We have no evidence that the experiments were not conducted in compliance with the ethics as well as the rules for human experimentation that obtained at the time. The Atomic Energy Commission and the Department of Energy have been among the leading agencies in developing better standards for human experimentation. In particular, as a member of the Interagency Human Subjects Coordinating Committee, the DOE Office of Health and Environmental Research has been working since 1982 on the development of a Model Federal Policy for the Protection of Human Subjects. A notice of the Model Policy was published in the Federal Register (Tuesday, June 3, 1986, Part V, Office of Science and Technology Policy, Volume 51, No. 106, page 20204). When adopted by the various agencies, the Model Policy will apply not only to "in-house" research, but also to research that is supported by grants or contracts with non-federal research institutions. In the meantime, the Department of Energy's policies are already in substantial conformance with the provisions of the model policy.

In the comments that follow on specific studies, the category and factsheet numbers correspond to those of the experiments listed on pages 21-22 of the Subcommittee's staff report. The numbers in parentheses after the title are the number of subjects in each of the studies.

Category 1.001, No. 1. Plutonium Excretion Studies. (18)

One subject, who was 36 years old in 1947 and who had a bone sarcoma, is still living and has been contacted recently (November 1986). He has arthritis and high blood pressure, but no ailments that can be ascribed to effects from plutonium. There is no evidence to suggest that the death of any of the other subjects of these studies was related to plutonium exposure or that plutonium influenced the course of their disease.

1.002, No. 118. Relative Uptake of Radium and Thorium. (20)

The files on these subjects are located in Scottsdale, Arizona, in care of the principal investigator. Informed consent statements are available for all of the subjects. The addresses of the subjects are known as of 1964, at which time none had health problems related to radiation exposure. Presumably they could now be located, but their present ages if living would be 85-105 years. The values cited in the committee report for maximum permissible body burdens are for chronic retention in the body and are not applicable to acute exposures. The materials administered in the experiments were retained in the body for relatively short times. On the basis of the low radiation doses involved there is no reason to expect any long-term effects.

1.003, No. 12. Polonium Metabolism. (5)

A spokesman for the University of Rochester stated that the last of the polonium patients died 3 years ago at the age of 80. There is no evidence that the polonium had affected the health of any of these patients.

1.003, No. 119. Excretion of Hexavalent Uranium. (6)

As is stated in the report CR-37, in part the experiments were designed to seek the threshold for minimal renal damage using very sensitive indicators of renal injury. It should be noted that the injury in question was a chemical effect of uranium, not an effect due to radiation. In order to make the possibility of late effects of radiation highly improbable, the doses above 50 micrograms per kilogram of body weight were diluted with non-enriched uranyl acetate. Of the six patients studied, it is stated that patient number 5, aged 51 years in 1947, had a trace of urinary protein which was suspected of being a chance observation. He insisted on being discharged and was not followed further. Patient number 6, then 61 years of age, showed transient traces of urinary protein on days 5 and 6, but none thereafter through day 12. These are minimal effects that would not have significant permanent effects. In none of the other subjects was there any evidence of renal injury. The radiation doses would not be expected to produce long-term effects.

2.001, No. 1. and 2.002, No. 189. Testicular Irradiation. (131)

The principal investigator in the Washington State studies has been contacted. He stated that the main impediment to follow-up studies in these subjects is that the prisoners do not wish to be identified. Medical follow-up information is available on the subjects who remain incarcerated, and no radiation-related illness has been detected in this population. Medical services are available to prisoners who have been released, but "only a handful" have availed themselves of this opportunity in the past 14 years. There is concern that efforts to trace these subjects will violate the privacy of individuals who do not want to be identified, especially since a condition of their participation was that they were promised confidentiality. Although it is true that some of the radiation doses to the testes were substantial, the studies that were conducted showed that eventually there was recovery of testicular function even at the highest doses that were used. Although concern about the possibility of testicular cancer arising

as a result of irradiation has been expressed, all available evidence such as the studies of the Japanese atomic bombing survivors, studies of patients irradiated therapeutically, and animal studies indicate that even for high radiation doses there is not a significant increase in the rate of testicular cancer. None has been seen in the prisoner population that has been available for study.

3.001, No. 49. Blood Changes in Humans Following Total Body Irradiation. (13)

The report cited is concerned only with the effects of total body irradiation on the blood, but except for the three normal volunteers who were laboratory personnel, these observations were incidental to the use of total body irradiation as a therapeutic effort in patients for whom no other therapy was expected to be helpful. The 21 roentgens received by the three normal volunteers is at the borderline of the dose level that will cause transient blood changes, but none were noted. Long term effects are unlikely. For comparison, in studies of the survivors of the Japanese atomic bombings, significant increases in cancer, including leukemia, occurred only at doses above 100 roentgens. In a related study of whole body irradiation for the treatment of leukemia, (3.001, No. 43) conducted at the Oak Ridge Institute for Nuclear Studies (now Oak Ridge Associated Universities), the Department of Energy currently supports a project entitled "Former Patient Care" in which 67 former patients who had been treated at Oak Ridge with whole body irradiation, cobalt-60, radioiodine, or gallium-67 are being provided medical care. This provides a mechanism for obtaining follow-up data without implying that any of their current illnesses are radiation-related.

9.001, No. 166. Hexavalent Uranium. (12)

All subjects were terminally ill with brain tumors. None is still living. There was no evidence that the uranium had affected the course of their diseases.

10.001, No. 173. Controlled Environmental Radioiodine Tests. (17)

Because of the low radiation doses incurred in these studies (maximum 630 millirad) no follow-up was considered to be necessary.

11.001, No. 51. Reactions of Human Skin to Single Doses of Beta Rays. (20)

No long term effects are to be expected from these highly localized irradiations. Although the range of P-32 beta particles in water is 8 mm, 90 percent of the energy is absorbed in the first 1 mm, so the volume irradiated is confined to the skin, which has a relatively rapid recovery rate from acute doses of radiation.

11.001, No. 53. Studies of Thorium X Applied to Human Skin. (3)

These studies were conducted at New York University Hospital in New York City. The three volunteer subjects were followed for three months, at which time they had recovered from the acute effects, erythema, and increased pigmentation. There is no reason to expect long term effects.

11.001, No. 121. Effect of Single Dose X-ray to the Nail-Fold Area of Human Subjects. (15)

The highly localized radiation and small area involved reduce the hazard relative to the occupational standard, which assumes irradiation of the entire hand. The changes seen were transitory, and no long term effects would be expected.

11.001, Numbers 123 and 127, and 12.001, No. 128. Tritium Studies. (18)
Because of the short biological half life of tritium (9 to 14 days) and the small quantities administered, the radiation doses are low (about 200 millirem) and the probability for long term effects is negligibly low.

11.001, No. 133. Exposure of Aircrews in Mushroom Clouds. (NA)
As is indicated in the Subcommittee's staff report the follow-up studies on the Air Force crews involved are being monitored by the Defense Nuclear Agency.

11.001, No. 186B. Lanthanum-140. (54)
The administration of this substance was considered to be part of diagnostic studies for patients with anemia and was not considered to be an experiment. The one normal subject was a scientist who is known to be alive and well. The names of the patients are known and the Former Patient Care Program mentioned above (3.001) is available to them.

12.001, No. 15. Strontium and Calcium Injected in Terminal Cancer Patients. (12)
As indicated in the Subcommittee's staff report, all of the terminal cancer patients involved in the calcium-strontium studies died within less than three years. There was no evidence that the experiments had affected the course of their diseases.

12.001, No. 109. Distribution and Excretion of Technetium. (8)
The whole-body doses associated with these studies is estimated to be about 0.145 rem, in comparison to the annual occupational limit of 5 rem. The probability that these radiation doses could result in long term effects is negligibly low.

12.001, No. 128. Human excretion of Tritium. (6)
The subjects of these studies were personnel who were involved in performing the studies. One died subsequently in an aircraft accident, but the others are known to be in good health. Because of the short biological half life of tritium the radiation dose is negligibly small, and there is no reason to expect any long term effects from these studies.

HUMAN RADIATION EXPERIMENTS HISTORICAL BACKGROUND

For three decades following World War II, several federal agencies conducted or sponsored experiments on human subjects involving radioactive materials.

Many such experiments resulted in valuable medical advances and were conducted ethically. However, there are questions about whether subjects of some experiments were treated properly.

Experiments on humans during this period were supposed to be conducted according to the "Nuremberg Code." This ethical code was developed in response to disclosures at the Nuremberg War Crimes Trials about Nazi medical experiments conducted on concentration camp prisoners.

There are serious doubts now about whether some of the experiments conducted by the U.S. government on its own citizens did, in fact, meet the criteria of the Nuremberg Code.

There are indications that in some cases:

- (1) subjects were not notified that they were participating in an experiment;
- (2) subjects did not give proper written informed consent;
- (3) subjects gave consent, but were not fully informed of potential health consequences of the experiment;
- (4) experiments were conducted with disturbing frequency on subjects who could not reasonably be expected to fully understand what was being done to them - elderly people, retarded persons, infants, prison inmates and hospital patients suffering from terminal conditions.
- (5) some experiments served no therapeutic medical purpose.

In 1986 a comprehensive report, "American Nuclear Guinea Pigs: Three Decades of Radiation Experiments on U.S. Citizens," was compiled under the direction of Rep. Edward J. Markey, chairman of the Subcommittee on Energy Conservation and Power of the House Committee on Energy and Commerce. The report identified 31 experiments conducted by Department of Energy predecessor agencies on at least 700 persons.

Rep. Markey's report called on the Reagan-era Department of Energy to track down the subjects of the experiments or their survivors to provide medical follow-up where appropriate, and compensate for wrongful treatment. The Department responded with an explanation of the purpose of each experiment and disagreed with Markey's conclusions that the experiments were conducted improperly or were of no medical value.

HISTORICAL BACKGROUND ON FEDERALLY-SPONSORED HUMAN EXPERIMENTS INVOLVING IONIZING RADIATION

Human experiments involving ionizing radiation relative to the federal military and civilian nuclear programs have been numerous and span nearly a half century. While several recently publicized experiments raise serious ethical questions, the federal government has and continues to sponsor human studies where there are widely recognized medical benefits. Nonetheless, it is important to examine those studies where ethical questions are raised and where the distinctions between saving lives and damaging them may have been blurred.

TYPES OF EXPERIMENTS

There are several categories of experiments of concern including:

- * Clinical experiments where there was direct federal sponsorship, little or no informed consent, with no medical benefits in mind. These include: (a) injections of plutonium into 18 men women and children in 1945-46 by the Manhattan Engineering District; (b) deliberate internal exposures of radionuclides to workers at Atomic Energy Commission facilities in the 1950's and 1960's; (c) Injecting uranium in terminally ill brain tumor patients to ascertain kidney damage; (d) feeding radium to elderly people in nursing homes; and (e) the irradiation of the testicles of 131 inmates at the Washington and Oregon state prisons between 1960-71.
- * Clinical experiments where there was direct federal sponsorship, where there may have been a medical and non medical benefit, but where misadministration, and little or no informed consent occurred; These include: (a) The irradiation of 194 cancer patients between 1959-75 in specially built facilities at DOE's Oak Ridge facility; and (b) the irradiation of 87 cancer patients at the University of Cincinnati to doses of radiation expected to be found on a nuclear battlefield.
- * Clinical experiments where the federal government provided radioisotopes but did not directly fund the studies themselves; These include: (a) Giving some 800 pregnant women iron-59 in the 1940's to ascertain nutritional information; (b) Feeding retarded children radioactive iron and calcium in the 1950's.

* Studies where military personnel were deliberately exposed to ascertain radiation risks and other information. These include: (a) having manned aircraft fly through radioactive clouds in the Marshall Islands in 1955; and (b) Giving army personnel and Alaskan Natives radioiodine in the 1950's to study how the thyroid effects the human body in cold conditions.

* Studies where radiation was deliberately released to the environment These include: (a) the release of some 8,000 curies of radioiodine in December of 1949 at the Hanford facility as part of a military experiment; (2) releases of radiolanthanum radioprotactinium and radiotantalum at DOE and DOD sites to develop radiological weapons; and (3) the point source detonation of plutonium warhead components at the Nevada test Site and the Marshall Islands.

CATEGORIES OF GOVERNMENT INVOLVEMENT

Over the years, various federal agencies have sponsored and/or provided funds and materials for human experiments involving ionizing radiation. Types of government involvement include, but are not limited to:

- * Studies supported by the Department of Energy and its predecessor agencies;
- * Studies supported by the Defense Department (Defense Nuclear Agency, Defense Atomic Support Agency, The Armed Forces Special Weapons Project and the Naval Radiological Defense Research Laboratory);
- * Studies supported by the National Aeronautical and Space Administration at Atomic Energy Commission facilities (Interagency Agreement 40-35-64).
- * Studies supported by the Defense Department at Atomic Energy Commission facilities.
- * Studies supported by the Department of Veteran's Affairs.

Hotfire Calls

MEDICAL EXPERIMENTS: SUMMARY OF MAJOR CATEGORIES

1. **THE PLUTONIUM EXPERIMENTS.** CONDUCTED DURING THE CLOSING DAYS OF THE MANHATTAN PROJECT, MASSIVE DOSES OF PLUTONIUM WERE INJECTED INTO 18 MEN, WOMEN AND CHILDREN. THE SECRET EXPERIMENTS WERE CONDUCTED ACROSS THE COUNTRY, INCLUDING NEW YORK CITY AND SAN FRANCISCO. IT IS UNCLEAR WHETHER THESE SUBJECTS WERE INFORMED AS TO THE NATURE OF THE EXPERIMENTS.

INFORMATION ON THIS AND SOME OF THE OTHER ITEMS LISTED BELOW WAS PUBLICLY RELEASED IN THE MID-1980'S AS PART OF CONGRESSIONAL INVESTIGATIONS CONDUCTED BY MR. MARKEY AND THEN-REPRESENTATIVE AL GORE.

2. **PRISONER EXPERIMENTS.** STUDIES IN THE 1960'S, SPONSORED BY NASA AND THE DEFENSE DEPARTMENT, INVOLVED IRRADIATION OF THE TESTICLES OF APPROXIMATELY 130 PRISONERS IN THE STATES OF WASHINGTON AND OREGON. ALTHOUGH THE PRISONERS WERE APPARENTLY GIVEN SOME INFORMATION ON THE NATURE OF THE EXPERIMENTS AND WERE PAID SMALL SUMS FOR THEIR PARTICIPATION, THE ADEQUACY OF THIS "INFORMED CONSENT" WILL BE AT ISSUE. THIS WORK WAS ALSO RELEASED IN THE 1980'S.

3. **EARLY NUCLEAR MEDICINE EXPERIMENTS.** IN THE 1950'S AND 1960'S, FACILITIES FOR THE IRRADIATION OF PATIENTS WITH CANCER AND LEUKEMIA WERE CONSTRUCTED AT OAK RIDGE. THEY WERE PART OF THE HUMAN EXPERIMENTATION PROGRAM FROM 1960 - 1975 IN WHICH APPROXIMATELY 200 PATIENTS LIVED IN THESE FACILITIES AND RECEIVED VARYING - BUT SOMETIMES VERY LARGE - DOSES IN AN ATTEMPT TO PROVIDE IMPROVED RADIATION THERAPY FOR MALIGNANT DISEASES. THIS INFORMATION WAS ALSO RELEASED IN THE 1980'S.

4. DEFENSE EXPERIMENTS INVOLVING EFFECTS OF NUCLEAR WARFARE ON

TROOPS. BETWEEN 1960 - 1971, THE DEFENSE DEPARTMENT SPONSORED A PROGRAM AT THE UNIVERSITY OF CINCINNATI. SOME 87 TERMINALLY ILL PATIENTS WERE EXPOSED TO LARGE DOSES OF RADIATION COMPARABLE TO THOSE EXPECTED TO BE FOUND ON THE BATTLEFIELD.

5. THE FERNALD SCHOOL EXPERIMENTS. IN THE PAST FEW DAYS THE PRESS HAS REVEALED EXPERIMENTS CONDUCTED ON "SCORES" RETARDED YOUTHS AT THIS BOYS' SCHOOL NEAR BOSTON. APPARENTLY UNDER THE SPONSORSHIP OF THE ATOMIC ENERGY COMMISSION, THE EXPERIMENTS INVOLVED THE INGESTION OF RADIOACTIVELY-CONTAMINATED MILK AS A FORM OF A TRACER TO EXAMINE DIGESTIVE PROCESSES. WE ANTICIPATE LEARNING MORE ABOUT THIS IN OUR REVIEW.

6. VANDERBILT UNIVERSITY EXPERIMENTS. IN THE LAST FEW DAYS, THE PRESS HAS REVEALED EXPERIMENTS CONDUCTED AT THE VANDERBILT UNIVERSITY HOSPITAL FREE PRE-NATAL CLINIC AND FUNDED BY THE ATOMIC ENERGY COMMISSION. THE EXPERIMENTS INVOLVED INGESTION OF RADIOACTIVE MATERIALS IN PILL FORM BY HUNDREDS OF PREGNANT FEMALES ENTERING THE CLINIC FOR FREE PRE-NATAL CARE. THEY APPARENTLY WERE GIVEN NO NOTICE OF THE EXPERIMENTS, AND APPARENTLY NO CONSENT WAS RECEIVED. AT LEAST THREE CHILDREN OF THESE PREGNANCIES ARE REPORTED TO HAVE DIED AT A PREMATURELY-YOUNG AGE AND WE ARE RECEIVING HOT LINE CALLS FROM PERSONS WHO MAY HAVE BEEN INVOLVED WITH THIS WORK.

7. **RADIOACTIVE IODINE INFANT EXPERIMENTS.** RECENT NEWS REPORTS INDICATE THAT HUNDREDS OF INFANTS WERE INJECTED WITH LOW LEVELS OF RADIOACTIVE IODINE AROUND THE COUNTRY. THE EXPERIMENTS WERE DESIGNED TO DISCOVER METHODS OF DETECTING THYROID DISEASE IN INFANTS AND YOUNG CHILDREN. WE HAVE INCOMPLETE INFORMATION AS TO ANY CONSENT RECEIVED.

THE WHITE HOUSE
WASHINGTON

Radiat

January 4, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: CHRISTINE A. VARNEY 
PHIL CAPLAN 

SUBJECT: Human Radiation Experiments

At the direction of Mack McLarty and Phil Lader, we convened an interagency meeting at the White House yesterday to establish a taskforce on the government sanctioned human radiation experiments conducted between 1940 and 1972. The purpose of the meeting was to coordinate a government-wide effort to uncover the nature and extent of the experiments and determine the most appropriate response.

Senior staff and Assistant Secretaries from the following agencies were in attendance:

Department of Energy
Department of Defense
Veterans Affairs
Health and Human Services
Department of Justice
NASA

White House staff in attendance included Phil Lader, George Stephanopoulos, Carol Rasco, Mark Gearan, John Podesta, Jack Gibbons, Marcia Hale, Pat Griffin, Bill Burton, Alice Rivlin and Joel Klein. Steve Andreason from the NSC attended as well.

The Departments gave brief updates on their activity in connection with reviews of any human radiation testing done or sponsored by them. Other than the Department of Energy, the various agencies have just begun to establish comprehensive record retrieval and review.

The meeting participants agreed to the need and desirability of providing a consistent response across the government. To provide this coordination, we have initially established six working groups in the following areas:

- o Retrieval and Review of Records

- o Outreach
- o Ethics and Scientific Standards
- o Congressional Relations
- o Communications
- o Legal

The working groups will meet separately this week to develop goals and timeliness. The entire taskforce will reconvene next Monday, January 10. We are hoping to have a principal-level meeting sometime in the next three weeks.

There has been enormous press interest in the level (or lack of) CIA participation in the process. We have asked Tony Lake and the NSC staff to act as liaison to all intelligence agencies and institute appropriate record review.. Director Woolsey has already instructed that a thorough review of all CIA records be undertaken. Any relevant information will be provided to the working group.

Trip Wto - 3 January
- Roosevelt R

Lab

- Trip: most imp't Orgzn
 - importance of how programs are portrayed
- Speeches + backrounders - importance of how programs are portrayed
- Europe + Russia in troubled state
- Post Nafta + GATT high = credibility
- Lay out vision of broader security
 - address new threat to internal security
- Reaffirm Am's role in Europe + our attachment, integration.
- PFP - elements of helping NATO figure out internal conflicts + means of integration

Eastern Europe + Am Press - careful compromise of enc. Poland in & not driving Russia

- Describe as evolutionary process
not a delicate diplomatic solution

- Goals

NATO: Help adapt to post Cold War

- PFP
- Express Sppt for Europ. defense/security
- CITEF: create more flexible military structures. Allow Europ. to participate w us
- Counterproliferation Effort
- Bosnia

EU - E end of Cold War, no security threat that allowed Europ to stay c us. Result is ec. independence

- Support for ec. integration
- Lay out agenda
- Enc. Europ to open ec. ally
- Welcome greater Europ willingness for common for pol.

Prague - Nervous + vulnerable leaders there. Scared by Russia. Want to be integrated into NATO.

- PFP (Maddal + Shali go at end of week)

Poland is upset

- Sppt democracy + market reforms
- Enc. Visegrad group to coordinate better among themselves
- Radio Free Europe

Moscow - Private nity = Yeltsin: strictly right
His under pressure to become more nationalist
Need to reestablish partnership: democracy
at home + cooperation abroad

- Goals: How to shape aid program
- : Broaden contacts beyond Yeltsin to younger leaders
 - : Gain Russian participation in PFD
 - : Get Russian reluctant to far post that preserves neighbors
 - : Democritization. Ukrainian deal?

Minsk Goals: Sppt Shukerov + reformers
: Acknowledge their demitke
decs. + support

Vision of new security in region
Integration - enlargement