

Panel Finds Wide Debate in 40's On the Ethics of Radiation Tests

By PHILIP J. HILTS

Special to The New York Times

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That is the outline of the complex picture being developed by the President's Committee on Human Radiation Experiments after six months of sifting through the archives of a dozen Federal agencies. The committee has brought to light a wealth of documents about the Government's behavior — sometimes furtive, sometimes ethical — that will force historians to rewrite part of the history of the dawn of the atomic age.

In particular, the advisory committee has traced the almost continual jostling between the military's desire for data on radiation and the ethical scruples of some senior officials. Since no clear operating policy emerged, the result was that some ethically dubious experiments were discouraged or disapproved, while others went ahead.

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Serious Talk About Need for Data

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"We are now piecing together the story of the past, an unsuspected past, to help inform the future on these questions," she said.

Among the papers unearthed by the committee are documents that show experiments were debated, planned and carried out in a layer of atomic medical bureaucracy by half a dozen secret committees, which staff members estimate will increase the number of known experiments at least tenfold, to about 600. Most experiments involved exposing troops to varying amounts of radiation, usually without informing them of the risks or seeking their consent.

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The committee also found that, contrary to the belief that there was little debate about the ethics of such experimentation in the 1950's, Army ethical guidelines written in 1953 were in fact far stricter than the current rules.

But the rules — a nearly verbatim copy of the Nuremberg Code, a set of ethical principles that came out of the Nuremberg trials after World War II — did not become operating guidelines, apparently because they were declared top secret.

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After repeated requests from the military and private researchers to conduct radiation experiments on humans, Dr. Shields Warren, the chief medical officer of the A.E.C., said in July 1949 that he was "taking

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The debate continued on one track, but so did the experiments on another, in the absence of firm policy to the contrary.

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By 1951, it was clear to the military and their medical establishment that it would be necessary to answer in detail many questions about the effects of radiation on humans, and that soldiers would have to be used at the guinea pigs.

In September 1951 the Joint Panel on the Medical Aspects of Atomic Warfare prepared a memorandum saying that there were numerous reasons to conduct human experiments in atomic bomb explosions, and later documents show that at least four of the human experiments mentioned were carried out.

Using 'Volunteers' In the Military

Among the problems that required experiments on humans, the panel said, were whether atomic explosion caused changes in visual acuity or light-blindness, whether radiation from the explosions could be measured in the body fluids of people near such blasts, whether any psychological damage might come from being near an atomic explosion and whether flight crews would have any important exposure if they flew near a nuclear blast. Each of these experi-

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The military's use of the word 'volunteer' did not imply that informed consent was obtained. In essence, the subjects were ordered to participate; they were not always told what the risks would be.

In other experiments, airplanes flew through radioactive clouds. A report on one such test, called Operation Plum Bob, begins, "The objective of this project was to measure the radiation dose, both from neutrons and gamma rays, received by an air crew delivering an MB-1 rocket." Crewmen swallowed radiation film to help measure their exposure.

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2/2

Panel Finds Wide Debate in 40's On the Ethics of Radiation Tests

By PHILIP J. HILTS

Special to The New York Times

A1

WASHINGTON, Oct. 11 — In the early years of the cold war, a systematic effort to gain knowledge of the effects of radiation from experiments on human subjects was secretly planned at the highest levels of the United States Government. The number of experiments was some 10 times larger than known until now, but there was also more discussion than expected on the ethics of experimentation.

That is the outline of the complex picture being developed by the President's Committee on Human Radiation Experiments after six months of sifting through the archives of a dozen Federal agencies. The committee has brought to light a wealth of documents about the Government's behavior — sometimes furtive, sometimes ethical — that will force historians to rewrite part of the history of the dawn of the atomic age.

In particular, the advisory committee has traced the almost continual jostling between the military's desire for data on radiation and the ethical scruples of some senior officials. Since no clear operating policy emerged, the result was that some ethically dubious experiments were discouraged or disapproved, while others went ahead.

Last year, after The Albuquerque Tribune reported on a group of patients given high doses of radiation treatment for largely experimental purposes, Energy Secretary Hazel R. O'Leary responded by promising to open her agency's files, and President Clinton later ordered the committee to make a detailed inquiry into the experiments.

The Tribune article and the previous instances of unethical radiation experiments discussed by Representative Edward J. Markey, Democrat of Massachusetts, at Congressional hearings in 1986 suggested that a thorough search would extend the litany of horrific stories. They also raised questions as to what ethical guidelines, if any, had governed the experiments, and at what level in the Government the research program had been directed.

Dr. Ruth Faden, an ethicist at Johns Hopkins University who is the chairwoman of the committee, said:

Continued on Page A16, Column 1

"Did we find new horror stories? Well, we know now that much more experimental work was done than anyone guessed."

While the radiation doses received by subjects in most cases were not large, at the time the hazards of low levels of radiation were not known, and consent was not usually sought.

But Dr. Faden did express surprise at the apparent deliberateness of the decision making. "Frankly, we did not believe before we started this that there was much debate and planning done in connection with these experiments," she said. "But there was, and it was at a high level of the military and scientific establishment."

"That is not to say what the motive was for these ethical discussions — whether it was high-minded moral reasons, or legal reasons or public relations reasons — but in any case there was an awareness at high levels that one could not proceed in the area of radiation and human experiments just casually. They took it seriously."

Serious Talk About Need for Data

Dr. Faden said that from the level of Secretary of Defense on down through the secretaries of the Army, Navy and Air Force, there was serious discussion of the military's need for information about how dangerous radiation was to troops, how soldiers might react to it and what precautions were needed. The question was how to get that information, and how often were human experiments necessary.

"We are now piecing together the story of the past, an unsuspected past, to help inform the future on these questions," she said.

Among the papers unearthed by the committee are documents that show experiments were debated, planned and carried out in a layer of atomic medical bureaucracy by half a dozen secret committees, which staff members estimate will increase the number of known experiments at least tenfold, to about 600. Most experiments involved exposing troops to varying amounts of radiation, usually without informing them of the risks or seeking their consent.

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THE SPECIAL
ASSISTANT

OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000



FAX COVER SHEET

DATE: September 28, 1994

TO: Phil Caplan

Fax #: 456-2983

FROM: Margie Sullivan

Phone #: (703) 693-0566

Pages: 3 (including cover)

Subject: Detroit News

Per our discussion, any Detroit news articles that appear on this subject will follow.



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COMMITTEE ON GOVERNMENT OPERATIONS

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FOR IMMEDIATE RELEASE

Wednesday, September 28, 1994

FOR MORE INFORMATION CONTACT:
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(202) 225-5051

NEWS RELEASE

CONYERS ANNOUNCES HEARING TO EXAMINE SECRET COLD WAR EXPERIMENTS ON HUMANS SPONSORED BY U.S. GOVERNMENT; HEARING TO EXAMINE EXPERIMENTS BEYOND RADIATION BUT "JUST AS INJURIOUS"

WEDNESDAY, SEPTEMBER 28, 10:00 A.M., 2154 RAYBURN HOB

(Washington, D.C.) -- Rep. John Conyers, Jr. (D-MI), Chairman of the House Government Operations Committee and its Subcommittee on Legislation and National Security, today announced a Subcommittee hearing on secret Cold War era human experimentation sponsored by the Federal Government. The hearing has been scheduled for 10 a.m., Wednesday, September 28, in room 2154 Rayburn Building.

"While the radiation experiments have recently received substantial attention, other Cold War era tests on non-volunteers have not. In addition, the scope of the Presidential Advisory Committee on Radiation is limited to radiation experiments and does not include other tests which may have been just as injurious.

"The shocking revelations last year of human radiation experiments conducted by the Government in the 1950's is only part of the story," Conyers said. "I am extremely disturbed by reports we have received indicating that during the Cold War there was a widespread practice, within our national security organizations, of using non-volunteers as human guinea pigs to test biological, chemical, and psychoactive agents. We have a responsibility to the victims and their families to discover how such experiments could occur, and to help them today.

"We are learning now that nearly 500 thousand Americans were subjected to some Cold War era tests. In addition to being secret, this national security research was often conducted on individuals who had little choice in the matter, including members of the military, prison inmates, hospital patients and other institutionalized individuals."

In addition to the radiation tests, the experimental research using human subjects that has been identified includes the following:

the following:

1. Army and Navy skin tests during the 1940s with blistering agents and ointments on 60,000 subjects;
2. Naval Research Laboratory full body mustard gas exposures during the 1940s on 3,000 subjects;
3. Atmospheric nuclear tests from 1945 to 1962 involving 212,000 subjects;
4. Army biological warfare tests using radioactive compounds in 239 American cities between 1949 and 1969;

MORE

Date: 07/28/94 Time: 09:08

Atomic Test Exposure: Officers Went Closer Than Enlisted

WASHINGTON (AP) When the U.S. military marched unprotected soldiers into trenches near atomic explosions, some officers went even closer to ground zero than the troops.

Pentagon documents show the 1950s tests included small groups of volunteers placed as close as 1.15 miles from the radioactive detonations.

"The story of atomic veterans is already a national disgrace, but the 'close to detonation' program may represent even more severe exposures of servicemen than has previously been recognized," Rep. Edward Markey, D-Mass., said Wednesday.

He demanded that the Pentagon send to Capitol Hill information about the post-World War II tests and any medical follow-up that has been done in the intervening decades.

Markey said he learned of the program through a single sentence in a list compiled by the staff of the Advisory Committee on Human Radiation, which is trying to document all Cold War radiation experiments on humans.

"My staff has previously received allegations that prior to atomic tests, some human subjects were placed at locations significantly closer to the site of detonation than the majority of troops exposed during a test," Markey said in a letter to Defense Secretary William Perry.

"Material released by the Advisory Committee would tend at least partially to confirm such allegations."

The allegations are substantiated in a 1982 document provided on request by the Defense Nuclear Agency.

Fact sheets on file at the agency spell out how many volunteers were put close to each atomic explosion.

For instance, a test called Badger in Yucca Flat, Nev., in 1953, involved about 2,800 troops, including six Army and six Marine Corps officers who were "volunteer observers," witnessing the blast from a distance of 1,830 meters about 1.15 miles from ground zero.

An additional 590 observers watched the 23-kiloton explosion from a distance twice that far: 3,660 meters.

In a test called Simon, 550 observers watched a 43-kiloton blast from 3,660 meters away and eight others from trenches 1,830 meters away.

Testifying earlier this week before the presidential committee, the National Association of Atomic Veterans used the Simon test as an example as it complained that atomic volunteers did not understand the risks to which they were being subjected.

"The closest to 'informed consent' these officers signed was a certificate indicating the participant had computed the effects expected in an open trench," said Patricia Broudy, the group's legislative director.

Badger and Simon were part of a group of tests code-named "Operation Upshot-Knothole."

Government scientists at the Institute of Medicine last year began a five-year study of radiation exposure of participants in Upshot-Knothole and four other atomic test series: Greenhouse (1953), Castle (1954), Redwing (1956) and Plumbbob (1957).

The study replaces an inconclusive and scientifically discredited study that found no clear cause-and-effect between the atomic tests and cancer rates.

Some 200,000 U.S. troops from all branches of the service took part in 235 atmospheric tests of nuclear weapons. Another 200,000 participated in the post-bomb occupation of Nagasaki and Hiroshima in Japan.

The Nuclear Test Personnel Review Program maintains a database on those soldiers. The database lists about 500 ``who volunteered to occupy close-to-detonation positions during events,'' according to the notes of a January meeting of the Defense Nuclear Agency.

The Defense Nuclear Agency has a toll-free number for veterans to call with questions about their own participation in atmospheric nuclear tests or the Hiroshima and Nagasaki occupations:

1-800-462-3683.

APNP-07-28-94 0908EDT

Date: 07/27/94 Time: 20:16

Handful of Soldiers Watched Atomic Testing from Just 1 Mile Away

WASHINGTON (AP) A handful of U.S. military officers watched atomic test explosions from trenches just 1.15 miles away from Ground Zero twice as close as other troops, Pentagon documents show.

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The study replaces an inconclusive and scientifically discredited study that found no clear cause-and-effect between the atomic tests and cancer rates.

Four years after the first study, the Pentagon revealed that it accidentally included 15,000 people who weren't at the bomb tests, and failed to include another 28,000 who were there.

The Office of Technology Assessment, the scientific arm of Congress, also said mistakes were made in assessing the level of radiation to which the men were exposed.

4 . . *

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Editors: Veterans with questions about their participation in nuclear tests or the Japanese occupations may call the Defense Nuclear Agency at 800-462-3683.

APNP-07-27-94 2016EDT

Date: 07/26/94 Time: 08:48

Patients Exposed To Head-To-Toe Radiation At 45 Hospitals

WASHINGTON (AP) A page from an old government report indicates that dozens of U.S. hospitals used whole-body radiation while conducting research.

Radiation sleuths probing Cold War-era experiments said Monday they found a list of 45 hospitals that exposed human test subjects to head-to-toe radiation. They are trying to determine whether the research was done for medical science, the government or both.

But there were few details available about the experiments, according to the federal Advisory Committee on Human Radiation Experiments.

"We know for certain that eight of the 45 were doing it on government-sponsored contracts. That's all we know for a certainty," said committee staffer Gary Stern.

"Could you have been doing this kind of work out there in the middle of the country and not be attached to the government? We haven't answered that," said Dan Guttman, the committee's executive staff director.

The committee has verified government-sponsored research at:
University of California Hospital, San Francisco, 1942-46.
Memorial Hospital, New York, 1942-44.
Chicago Tumor Institute, 1943-44.

M.D. Anderson Hospital and Tumor Institute in Houston, Texas, 1951-56.

Baylor University College of Medicine and the Texas Medical Center, 1953-64.

Sloan-Kettering Institute for Cancer Research, 1954-61.

University of Cincinnati Hospital, 1960-71.

Oak Ridge Associated Universities Medical Division, 1957-1974.

The committee identified other institutions that performed such research through a 1975 list of hospitals that cooperated in a government evaluation of total-body-radiation studies. But the list gave hospital names only, without complete city or state identifications.

President Clinton formed the committee earlier this year to compile information on radiation tests on humans and to evaluate whether the experiments were medically or scientifically necessary.

The White House ordered every federal department and agency that might have conducted radiation research to comb their archives to help create an inventory of the experimentation.

Advisory committee chairwoman Ruth Faden said Monday that the Defense Nuclear Agency still has not complied with the administration's January directive.

The committee negotiated the matter at "the highest levels of the Pentagon" and now has "been assured that we will see this problem addressed and remediated in the next couple of weeks," Faden said.

APNP-07-26-94 0848EDT

703 695-0864

July 26, 1994, Tuesday

SECTION: NEWS; Pg. 1

LENGTH: 567 words

HEADLINE: RADIATION EXPERIMENTS KEY FACTOR IN EVALUATING DR. SAENGER'S WORK

BODY:

Examining the purported therapeutic purposes of Dr. Eugene Saenger's radiation experiments will be one of the keys to evaluating his work, members of a federal review panel said Monday. The federal Advisory Committee on Human Radiation Experiments held its most extensive discussions yet on Saenger's work as it continued its look at Cold War research.

The White House-appointed panel is reviewing Cold War experiments in preparation for possible recommendations to the president and Congress next year about compensation for those involved or their family members. Members said Saenger's work will be judged more favorably if they can establish that his whole-body radiation treatments on cancer patients at the former General Hospital in the 1960s had a clear medical purpose, not just a military one.

The Pentagon provided \$ 651,000 to support Saenger and other University of Cincinnati researchers in the radiation work, which involved 88 patients from 1960-71. The treatments, designed at least in part to measure the effects of radiation on soldiers, are blamed with accelerating the deaths of at least eight. The committee staff issued a memorandum Monday stating it regarded a "military application was central focus of his (Saenger's) work. This motive is discernable from a close reading of his annual reports."

But some committee members questioned whether that was fair, considering that the extent of whole-body radiation research that was going on around the country at the time.

The staff has identified that more than 45 institutions around the country were engaged in total-body irradiation research during the period 1930-1975. For the most part, scientists were looking for therapeutic applications. Saenger has claimed cancer therapy was the primary intent of his experiments also. "That's the key issue," said Henry D. Royal, an expert on radiation treatments from Washington University School of Medicine in St. Louis. He said the committee must determine whether Saenger was genuinely interested in decreasing the pain and prolonging the life of cancer patients or "whether or not he knew this was not going to be effective but wanted to do the experiments for military information."

Eli J. Glatstein, an radiation specialist from the University of Texas, said he believes therapy was Saenger's primary motivation, not military knowledge. "I think he was honestly trying to benefit patients who had disseminated cancer," he said.

Royal said the committee needs to see Saenger's original research protocol, or plan laying out the reason and methods of his experiments. The advisory committee staff said it has been unable to find an early protocol establishing therapeutic reasons for Saenger's work.

Royal said if Saenger was primarily interested in therapy, his selection of

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patients was puzzling.

He said Saenger primarily selected patients who had tumors that were known to be resistant to radiation therapy.

"If he wanted to fit into the mainstream (of medicine), it seems to me he could have enrolled patients with these radiation-sensitive tumors, but for some reason he chose to do the radiation-resistant," Royal said. Committee members also expressed interest in seeing the 1972 American College of Radiology report that exonerated Saenger's work.

Royal said he wanted to know upon what documents that panel based its findings.

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Dispatch

July 25, 1994, MONDAY

SECTION: NEWS LOCAL & NATIONAL, Pg. 8C

LENGTH: 416 words

HEADLINE: MEMO MAY CONTRADICT PENTAGON ON RADIATION

BYLINE: Associated Press

DATELINE: CINCINNATI

BODY:

A panel investigating radiation experiments at a hospital has found a 1950s memo that set strict standards for informing patients about such procedures.

The Cincinnati Enquirer reported yesterday that the finding represents a possible conflict with information the Pentagon gave to a lawmaker on Friday.

The Pentagon told U.S. Rep. Rob Portman, R-Cincinnati, that informed-consent policy set in 1953 by Secretary of Defense Charles Wilson did not apply to outside contractors such as those at General Hospital in Cincinnati.

Investigators are looking into whether Dr. Eugene Saenger, the lead researcher, properly informed patients of the purpose of the experiments conducted between 1960-71.

Saenger and other researchers from the University of Cincinnati treated 88 cancer patients at General Hospital with radiation.

The Pentagon provided 60 percent of the funding for the experiments because it wanted to learn how radiation would affect soldiers.

Saenger has said his main objective was to study experimental treatments for patients with inoperable cancer to see if he could stop the growth of tumors.

Relatives of the patients have sued Saenger and others, contending they had not been given enough information about the experiments.

The White House has appointed a panel to look into Cold War medical experiments. Congress is expected to consider whether to compensate relatives of the patients when the panel is finished.

One main issue is whether Saenger completely informed his patients. Saenger has said he did nothing improper. He did not use written consent forms in the first five years of his experiments.

The Enquirer reported yesterday that the secretary of the Army issued a memo in 1953 saying contractors - such as Saenger - should follow the strict informed-consent guidelines of the Nuremberg Code.

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The Nuremberg Code delineates extensive procedures to make sure human experiment subjects understand what is being done to them and what the possible consequences are.

Dan Guttman, executive staff director for the federal Advisory Committee on Human Radiation Experiments, said the committee still is looking into what standards were followed for the experiments.

"We don't know what happened in the case of Cincinnati," he said.

On Friday, the Pentagon told Portman that the strict informed-consent standards did not apply to contractors. Portman said he would be "pretty concerned" if the Pentagon's information is not accurate.

LANGUAGE: ENGLISH

LOAD-DATE-MDC: July 26, 1994

OFFICE OF HUMAN RADIATION EXPERIMENTS
DEPARTMENT OF ENERGY

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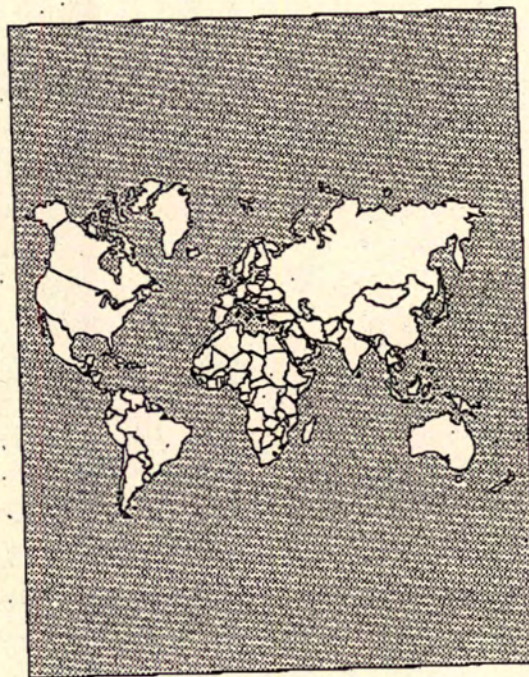
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To the Editor Washington Post

Your article Saturday about the President's Advisory Committee on Human Radiation Experiments followed by a correction Monday, still leaves a serious misimpression about the unprecedented efforts of the Department of Energy and other agencies as directed by the President to find and make public all records related to government-sponsored human subject radiation research from World War II forward.

The vast majority of documents related to radiation research were never classified. The most daunting challenge has been to find these documents dating back 50 years scattered in locations around the country intermixed with unrelated records, all of which are frequently poorly indexed if indexed at all. The Department of Energy alone has an inventory of 3.2 million boxes of records stored from Washington to San Francisco and many points in between. The progress made by DOE to date on this through the work of over 200 people, is remarkable: over 110,000 pages have been collected, indexed and released and descriptions of the contents of over 500 collections of records (some 34,000 cubic feet) have been prepared and provided to the Advisory Committee. Moreover, over 1850 documents related to this research which were classified have been declassified.

Beyond biomedical experimentation, the President has also directed the agencies to collect documents related to a list of historical releases of radiation, whether or not

these releases constituted experimentation on people. The list includes, among others, certain radiation releases at the Hanford plant in Washington State and at the Los Alamos National Laboratory in New Mexico. While most information related to these events has also been made public, certain information remains subject to national security classification.

For example, the tests done from 1944-1963 at Los Alamos known as the Bayo Canyon series were conducted to explore the implosion process that starts a nuclear explosion. This year, DOE released 133 documents related to these tests, including the amount of radioactivity released during each test. However, details of the design of the device and the implosion process itself remain classified because it is judged that they could be used by a nation or group seeking to develop atomic weapons. A number of members of the Advisory Committee and its staff have been given security clearances so that they may review the remaining classified material for themselves.

The unprecedented venture in government openness represented by the radiation experiments effort is a cornerstone of this Administration's commitment to rebuilding the trust between the American people and its institutions of government that is necessary to a functioning democracy. This requires coming clean when necessary on events that may cause embarrassment or even worse. We intend to fully honor this commitment.

Memo might help 'atomic' veterans

By Karen MacPherson
ALBUQUERQUE TRIBUNE

A Defense Department research board proposed in 1951 that atomic weapons tests be used, in part, as biomedical experiments, according to a document released yesterday.

If the Defense Department ever implemented the proposal — and there is no evidence yet that it did — it would bolster the claims of "atomic" veterans, said Steve Klaidman, press spokesman for the White House Advisory Committee on Human Radiation Experiments.

The committee found and released the September 1951 memo. Until now, it had only "very ambiguous and unresolved questions" about whether such veterans actually were used as unwitting human radiation experiment subjects at atomic blast sites, Mr. Klaidman said.

"It shows that preparations were being made in advance of weapons tests to conduct studies of a biomedical nature," he said.

"But we have no documents to

show that it was ever implemented. ... If this was ever implemented, atomic veterans would be very likely considered to have been subjected to experiments because they [the experiments] were planned," Mr. Klaidman said.

The issue is important because it involves thousands of atomic veterans. If indeed they were part of planned human radiation experiments, it could considerably expand the scope of the advisory committee.

The 15-member advisory panel has been given a year to sift through hundreds of thousands of documents about government-sponsored human radiation experiments from the 1940s through the 1970s and suggest who, if anyone, should be compensated.

In the September 1951 memo, the Joint Panel on the Medical Aspects of Atomic Warfare — part of the Defense Department's Research and Development Board — recommended that atomic weapons tests be used, in part, as biomedical experiments, Mr. Klaidman said.

In the 1951 document, the joint

panel, a group of 10 civilians and military officials, notes that the memo "is designed to show the general considerations involved in preparing a research program, outline the major unexplored areas in this field, and give some concrete examples of projects worthy of inclusion in future test programs."

"It seems unnecessary to expound on the general requirement for biomedical information in this field as this is self-evident in either offensive or defensive considerations of atomic weapons," the memo adds.

While the document does not specifically mention using humans in experiments, the committee released other documents showing that the need for human experiments was a topic of great discussion at the top levels of the Defense Department during the early 1950s.

In addition, the 1951 document included a list of 29 scientific "problems" that could be answered in a biomedical program as part of the atomic weapons tests.

"Some of them 'seem to me to be difficult to get [done] in any other way than through human experimentation," said advisory committee member Duncan Thomas, who spearheaded the release of the document.

The document is "something of a shopping list of experiments ... to provide information that the military needed to have," he added.

"It gives us leads to pursue ... to find out whether, in fact, the military did conduct human experiments."

At yesterday's advisory committee meeting, other documents were released, including one in which the chief of the Atomic Energy Commission's public information service categorically denied in 1950 that the commission ever sponsored "a medical research project where human beings are used for experimental purposes."

In fact, the commission had, by that time, sponsored a number of human radiation experiments, including one conducted from 1945 to 1947.

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POLITICAL DISPATCHES

Taxes certain as death for rich N. Y. families

By Penelope Lemov
GOVERNING MAGAZINE

New York is a nice place to visit, but you wouldn't want to die there.

At least not if you're wealthy. The state can grab up to 21 percent of the worldly goods that a truly rich resident leaves behind.

Michigan has never been quite as grasping as New York — no state is — but it used to be close. Until last year, Michigan charged a top rate of 17 percent on the inheritances left by its wealthiest citizens. In 1993, however, the tax itself died. The legislature repealed it, giving up the \$90 million it brought in every year.

Massachusetts is doing the same thing, just more slowly. It's midway through a five-year phase-out that will take its state inheritance tax from a top rate of 16 percent — another one of the nation's highest — to nothing at all.

When the phase-out is over, Massachusetts will join 29 other states that don't levy any tax on inheritances other than a fixed percentage of the federal estate tax, which is something all of them do. Five others are considering legislation to put themselves in the same category.

Nothing may be surer than

death and taxes, but there's less certainty about death taxes than there has ever been.

"They're a vanishing breed," says Steven Gold of the Center for the Study of the States. "Everyone's afraid their retirees will move away if they have high inheritance taxes."

Do elderly residents actually flee these taxes? Michigan had no hard evidence that they do, admits state Rep. Willis Bullard, who chairs the House Tax Committee. But two state banks, both with branches in Florida, provided some anecdotal evidence that there was a problem. Those banks reported that billions of dollars in assets owned by former Michigan residents were now parked in the Florida branches of the banks.

"There might be other reasons for people to move from Michigan to Florida," Mr. Bullard acknowledges, "but we wanted to eliminate as many of those incentives as possible."

After all, retirees who stay in Michigan still pay taxes in Michigan while they're alive. The inheritance tax loss may be the state's income and sales tax gains.

The theory that elderly residents flee inheritance tax "hells"

was tested in 1991 by William Crown of Brandeis University. He found little evidence that ordinary people in their 60s or 70s would move away from a lifetime network of friends and family just to avoid an inheritance tax.

But it's a different story for the very rich. Older people who live in the mansions of Grosse Pointe, Mich., or in a Park Avenue duplex in New York are likely to own second or third homes in winter-warm states like Florida. In all likelihood, they already spend several months a year sunning there.

If they switch their bank accounts to Florida and make any major purchases there, they can claim the Sunshine State as their legal residence. The change may not affect their lifestyle, but it has a significant impact on their heirs' inheritance tax burden.

Mr. Crown's study showed that at the very highest income levels, individuals do move their official residences from states that have inheritance taxes to states that do not.

It's not necessarily the loss of the inheritance tax money per se that most hurts a state when rich people leave, it's the other taxes they don't pay when they are gone. Sales and income taxes are col-

lected where people live and spend their money. When new cars are bought in Florida rather than in Michigan or Massachusetts, those sales-tax losses take their toll. What no one knows is exactly how big a loss it is.

If more retirees choose to stay in Michigan now that it has no inheritance tax, would that make up for the \$90 billion once brought in by the inheritance tax itself?

Some economists use the imagery of a bathtub: The water coming into the tub represents the potential emigres who elect to stay; the water going out represents people who die. The multimillion-dollar question is whether the water is coming in faster than it's going out.

Clearly the initial cutoff of inheritance tax funds costs the state money. Eventually, though, sales and income taxes should produce additional revenue to even the score. But where is that point?

Assumptions used in Mr. Crown's report imply that it could be 10-15 years down the line; other studies suggest it could be 50-60 years away — a distant horizon for a legislature that needs money for the here and now.

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FEDERAL REPORT

Gore finds time for job of father

By James W. Brosnan
SCRIPPS HOWARD NEWS SERVICE

"This is the scoop. Don't tell anybody," says Tipper Gore slyly. "He has more time now to spend with his family than when he was in Congress."

"Yep," agreed Vice President Gore. "I've made it a higher priority in my life and in my schedule, and I made it clear to everybody I work with. I have found that not only do people respect that, they believe it makes sense."

With fatherhood under the spotlight from stories about rapes at home to deadbeat dads to O.J. Simpson's spousal abuse, the Gores will stress the role of the father in children's lives at their third annual Family Conference in Nashville, Tenn., July 11.

The Rev. Jesse Jackson will join the Gores at the conference, which will feature a forum of fathers on their role in the family, led by Mr. Gore, and a forum of mothers on fathers, led by Mrs. Gore.

"We want to hear from children and the men themselves why it is important that fathers play an active role in children's lives," said Mrs. Gore, 45. "What are the barriers to that? What needs to be changed in order to facilitate that happening more? And what are some of the policy implications?"

Mr. Gore, 46, said, "We have to lift up the positive models that are out there, and we need to encourage policy changes and changes in attitudes that make it easier for fathers to spend more time with their children."

For the Gores, the big change in their attitudes came in 1989, after their son, Albert Gore III, was struck by a car in Baltimore and nearly killed.



Al Gore is happy he decided not to run for president in 1991.

His family concerns led Mr. Gore in 1991 not to join the presidential race. Asked if he ever regrets not running, he said: "It was the right decision made for the right reasons. If I had to do it over again, I'd make exactly the same decision."

Nor does Mr. Gore regret that he was asked to take the No. 2 spot. Besides the policy roles he plays, he said the lifestyle is easier.

Even though the "intensity" of the job has increased, Mrs. Gore said, her husband doesn't have to go home to Tennessee every weekend or hang around the Senate late on weeknights waiting for a vote.

"On a typical weekend, we go out to the movies on Friday night with the kids or some of the kids," said Mrs. Gore. "Saturday we take a long run together. We do something special together Saturday night. We have Sundays. Occasionally there is something going on, and we come [to the White House] for meetings. But by and large, the major difference is there is more time."

She said her husband is able to attend more of his children's athletic events too — soccer for Albert III, 11; soccer and lacrosse for Sarah, 15; and lacrosse for Kristin, 17, a high school all-star. Their oldest daughter, Karennia, 21, a Harvard student, is spending the summer as an intern at a Memphis television station.

Polish feel slighted in favor of Russians

Clinton's visit stirs little enthusiasm

By Andrew Borowiec
THE WASHINGTON TIMES

When he visits the Baltic states and Poland starting today, President Clinton will find a feeling of profound malaise and disappointment with his East European policy.

Fear that the United States is more interested in what happens in Russia and is prepared to "leapfrog" over Eastern Europe is what dominates thinking in Eastern Europe, where the specter of Russian domination is omnipresent.

NEWS ANALYSIS

While the leaders of Latvia, Lithuania and Estonia may find comfort in their 6½-hour meeting with Mr. Clinton in the Latvian capital of Riga, there is a marked lack of enthusiasm and considerable bitterness in Poland.

A typical illustration was an announcement by the biggest private radio station, RMF, offering \$100 for Mr. Clinton's defense fund in his sexual harassment law suit.

"What we wanted to show is that we have no hope of any help resulting from this visit," said the station's Washington correspondent, Tomasz Wroblewski. "It's not the money we want but political comfort. And we can't help feeling that increasingly we are being pushed into a gray area."

Hungarian Foreign Minister Geza Jeszenszky, soon to be replaced by the new socialist-dominated government, said recently in Washington that a "dangerous power vacuum" has been created in Eastern and Central Europe, which may attract "new imperialists" from Russia.

The three Baltic states, with a total population of barely 8 million, had been Soviet republics after their annexation by Moscow in 1940 until the Soviet Union's collapse.

While all three have carried out relatively painless economic reforms, their fear of Russia remains, exacerbated by the presence of Russians on their territories.

While Russian troops have left Lithuania and are withdrawing from Latvia, they continue to remain in Estonia, the northernmost Baltic state.

Mr. Clinton will hear the area's concerns firsthand from Latvian President Guntis Ulmanis, Esto-

nia's Lennart Meri and President Algirdas Brazauskas of Lithuania, a country which in 1992 voted overwhelmingly for former communists.

Lithuania's economy remains heavily dependent on Russia, and consequently Mr. Brazauskas has pursued a cautious economic policy instead of leaping headlong into market reforms.

Poland, a country that started a determined revolt that led to communism's collapse, is a different matter. With a population of 40 million, it has a tradition of resistance to external pressure and regards itself part of the Western culture.

Today it feels rejected by the North Atlantic Treaty Organization and considers NATO's Partnership for Peace as a poor and largely meaningless substitute.

Polish officials and diplomats think U.S. policy is dominated by fear of "not antagonizing Russia" rather than solidifying alliances with Russia's former victims.

Mr. Clinton's visit coincides with the steadily plunging popularity of President Lech Walesa, once a venerated fighter against communism who turned into a quarrelsome politician with a popularity rating of barely 5 percent.

Although the transition to a market economy has put Poland in the forefront of the reform movement, the average citizen is paying a steep price in the plunging standard of living. Many Poles consider Mr. Walesa, a former shipyard electrician, as politically divisive and not intellectually equipped to lead the country.

Against such a background, of considerable importance is the attitude of the Polish armed forces, considered the most respected institution in today's Poland.

Feeling rejected by NATO, the Polish military believes it has to remain strong to thwart any attempt against the country's precarious independence.

Recently, the general staff took back control of finances and intelligence services, despite outcries from the parliament.

All these factors notwithstanding, most Poles expect nothing significant from the Clinton visit. "He will visit Warsaw's Old Town, play his saxophone and make a meaningless speech before parliament," one Polish official said. "At this time, no press conference has been scheduled."

Rostenkowski Team Adds D.C. Voice

House Leader Hires R. Kenneth Mundy

By Toni Locy
and Pierre Thomas
Washington Post Staff Writers

Rep. Dan Rostenkowski (D-Ill.) yesterday added Washington lawyer R. Kenneth Mundy to his defense team in what legal observers said was a smart strategic move to woo D.C. jurors in the likely event the case goes to trial.

By hiring Mundy, Rostenkowski, the former chairman of the House Ways and Means Committee, put prosecutors on notice that the federal corruption case against him will be fought intensely.

Mundy, the defense lawyer who helped then-D.C. Mayor Marion Barry defeat the most serious charges against him in his 1990 trial on drug and perjury charges, is known for his ability to develop a rapport with jurors and sway them to his client's side.

He joins a stable of defense lawyers, mostly from Chicago, led by Dan K. Webb, a former U.S. attorney in that city.

G. Allen Dale, another Washington defense lawyer, said Mundy is among the best at relating to jurors. "You have to make them believe that you believe in your client. Ken Mundy does that," he said.

John T. Kotelly, who was a prosecutor in the federal sting operation known as Abscam, agreed with that assessment. "Ken Mundy certainly knows D.C. jurors as well as anybody in this town," he said. "Things play differently in front of D.C. juries than they do in front of Chicago juries. . . . If Dan Webb is smart, he will use Ken Mundy as much as he can."

But who will take the lead? asked defense lawyer Reid Weingarten, a former prosecutor in the Iran-contra case involving illegal diversion of arms profits. "These are both guys

who are used to running their own ships," Weingarten said. "It will be interesting to observe the dynamic."

Weingarten said the two lawyers could complement each other, Webb, "the lawyer's lawyer" with his command of the law, and Mundy with his charm and ability to think quickly on his feet.

Lawyers for both sides in the Rostenkowski case are to appear today before U.S. District Judge Norma Holloway Johnson. The purpose of the hearing is to set a schedule for motions to be filed. The defense also may take the opportunity to raise challenges to the indictment on constitutional grounds, which could delay it for months.

After negotiations with the U.S. attorney's office, Rostenkowski decided against pleading guilty and broke ties with well-known Washington lawyer Robert S. Bennett.

In late May, a grand jury accused Rostenkowski, a legendary Chicago politician, of engaging in a pattern of corrupt activities during the last 20 years.

The grand jury charged that the 34-year veteran of Congress abused his office in a range of ways, from putting "ghost employees" on his payroll and trading stamps for cash at the House Post Office to using his office account to buy expensive gifts for friends and tampering with potential witnesses against him.

Mundy, who grew up in Akron, Ohio, is well connected and well known in the community. He has said he became a lawyer because there were few other professional choices for blacks.

He graduated from Kent State University and Case Western Reserve Law School. After graduating from law school, he became one of the first blacks to work for the Federal Communications Commission, where he was employed for seven years.

Sources on Capitol Hill said Rostenkowski worried how his case would play before jurors from the District's predominantly black population.

With Mundy, he has a lawyer who has won important cases before such juries.

In the Barry case, Mundy is credited with raising enough questions that jurors deadlocked on the most serious charges against the former mayor.

In 1979, Mundy's rapport with jurors may have been a key element in the racially charged murder trial of Terrence Johnson, a black 15-year-old accused of shooting two white police officers in Prince George's County.

Johnson was acquitted of one murder by reason of temporary insanity and received a reduced sentence for the other.

U.S. Officials Had Sought Research on A-Test Troops

By Jason Vest
Washington Post Staff Writer

A presidential commission yesterday made public a once-classified 1951 Defense Department document in which officials proposed that extensive biomedical research and experiments be conducted on humans involved in atomic weapons tests.

The President's Advisory Committee on Human Radiation Experiments, created by President Clinton earlier this year to investigate such activity, has not found any implementation orders for the proposed experiments.

But the memo, recovered from the National Archives, indicates that soldiers involved in atomic weapons testing may have been unwitting medical guinea pigs, according to a committee staff member. At yesterday's public meeting, the committee also released documents indicating that despite public denials, as early as 1947 the Atomic Energy Commission (AEC) had a policy in place for conducting radiation experiments on humans.

The group released internal government memoranda from the early 1950s that show a contentious, classified debate raging at the Defense Department's highest levels over whether the Pentagon should adopt an official policy to address the use of human subjects in medical experiments involving radioactive materials.

"There are whole chapters in bioethics textbooks that will be written on this," said Jonathan Moreno, a committee staff member and bioethics professor from the State University of New York Health Science Center at Brooklyn.

The panel, commissioned earlier this year following revelations that the U.S. government had exposed sometimes unwitting human test subjects to radiation, has until April of next year to examine fully the history of federally run or sponsored radiation tests involving humans. Its final report is to include recommendations on how to rectify past problems and ensure against new ones.

According to committee members and staff, the papers released yesterday provide an interesting window on a pivotal period of modern American history and reflect the ethos of fixation with national security prevalent at the time.

For example, following a November 1950 Associated Press report that described an AEC medical research project involving Arizona

prisoners, an AEC official told the news service that AEC "has never sponsored a medical research project where human beings are used for experimental purposes."

Yesterday, however, the committee released a 1947 letter from AEC General Manager Carroll L. Wilson to a University of California professor that sets standards for patient consent in upcoming radiation tests.

The committee also disclosed a 1947 order from an AEC official classifying as "secret" all documents referring to "experiments with humans" because they "might have adverse effect on public opinion."

Also released was a collection of memos written by defense officials expressing concerns about a biochemical warfare gap developing between the United States and the Soviet Union, and calling for "increased testing" of biochemical and radioactive weapons on humans.

Other memos detail how various agencies lobbied over whether written ethical standards should be established. In 1953, then-Secretary of Defense Charles E. Wilson signed off on guidelines proposed by the Armed Forces Medical Policy Council that were in keeping with the Nuremberg Code.

Also yesterday, the committee heard from Sen. Tony de Brum of the Marshall Islands, who said that based on a preliminary review of documents from the departments of Energy and Defense, there is "no doubt in my mind that Marshallese citizens have been used for radiation research" by the U.S. government.

CORRECTIONS

An article yesterday about the Francis Pool misidentified a Dupont Circle advisory neighborhood commissioner. Pam Taylor was the commissioner who organized a demonstration outside the pool.

Bev Blackwood's position was misidentified in an article Saturday about the beating of the director of Miriam's Kitchen. He is the chairman of the soup kitchen's operating committee.

D'Amato Gets Message Across With Hold on Envoy to Riyadh

By Thomas W. Lippman
Washington Post Staff Writer

In the late hours Friday before its recess for Independence Day week, the Senate confirmed the nomination of Raymond Mabus as U.S. ambassador to Saudi Arabia after Sen. Alfonse M. D'Amato (R-N.Y.) dropped his opposition.

By putting a hold on the nomination the day before, an aide to D'Amato said, "we got the State Department's attention to something the senator is very concerned about."

That "something" is a long-simmering dispute between members of Congress and the desert kingdom over treatment of U.S. businesses.

D'Amato and dozens of other senators and House members have been pressing the Saudis for at least three years to reconsider their rejection of multimillion-dollar claims by two U.S. corporations, but the Saudis have refused.

D'Amato wielded the blunt instrument of a "hold" on a key appointment not to criticize Mabus, a former Democratic governor of Mississippi who sailed through his confirmation hearing, but to register impatience with the Saudi Arabian ambassador, Prince Bandar Bin Sultan—and with the Clinton administration for its perceived failure to put enough heat on Bandar over the issue.

Holding up confirmation of ambassadorial nominees is a traditional Senate method of delivering foreign policy messages.

Members of Congress have said in repeated letters to Bandar and to Saudi King Fahd that they believe two U.S. corporations—an Alabama construction consortium and a New York engineering firm—have been treated unfairly and that they resent Saudi Arabia's refusal to reopen their cases.

"Three years after our nation led the fight to protect the sovereign integrity of the countries of the Persian Gulf, including Saudi Arabia, it is unacceptable that a close ally should fail to honor its commercial obligations to an American citizen," wrote Sen. Daniel K. Inouye (D-Hawaii).

"Ambassador Bandar and the government he represents continue to mock our requests for justice and fair play," Rep. Earl F. Hilliard (D-Ala.) complained in an April 20 speech. "This cannot be tolerated."



SEN. ALFONSE M. D'AMATO
... U.S. business claims at issue

Robert H. Pelletreau, assistant secretary of state for Near East affairs, promised the House Foreign Affairs Committee two weeks ago he would raise the issue in a meeting with Bandar.

He has since done so, a State Department official said, although no change in the Saudi position is apparent. An aide to D'Amato said the senator received no promises from Bandar or from the State Department but "will follow their progress closely."

The Saudis have told Congress repeatedly the claims are not justified. The companies pressed their claims through Saudi Arabia's legal system, disliked the results and are trying unfairly to overturn the outcome, according to Bandar and to Washington lawyer Frederick G. Dutton, who represents the Saudi Embassy.

In a March 11 letter to House members, Bandar said it "serves no purpose to continue engaging in discussions about fairness of another nation's courts after one has availed oneself of them, obtained the judgment and collected the judgment," referring to partial settlement one of the companies decided to accept.

Members of Congress, however, have told the Saudis they believe the Saudi legal process was corrupt. They cite an affidavit given to a U.S. diplomat in Saudi Arabia by a member of a Saudi claims consulting firm saying the minister of agriculture threatened to "exert his influence to destroy" the firm if it validated one of the claims in full.

There is "undisputed evidence" implicating the minister of agriculture in putting pressure on the consultants, 37 members of Congress complained in a January 1992 letter to King Fahd.

The United States and Saudi Arabia agreed in 1992 on a "special claims process" to resolve disputes between U.S. companies and Saudi Arabia. Such disputes proliferated in the 1980s as Americans rushed to obtain development contracts there, only to find the Saudis difficult business partners who frequently jailed foreigners over business disputes.

The only two claims not settled by the 1992 process are the ones that led to the hold on the Mabus nomination.

One involves Harbert-Howard Cos., the Alabama firm, which claims the ministry of agriculture refused to pay \$13.8 million owed for work done in the late 1970s.

After the claim was processed in the Saudi legal system, Harbert-Howard was paid \$6.8 million. Saudi Arabia said that settled the case, but Harbert argues—and several members of Congress say the evidence shows—that government pressure corrupted the proceedings.

The second claim involves the New York firm Gibbs & Hill Inc., which says it "sustained losses resulting in its demise after the Saudis failed to pay" in full for work on a desalination plant at the port of Yanbu in the early 1980s. Gibbs & Hill puts the "current value" of its claim at \$44 million.

Clinton has praised the Saudis for their commitment to spend billions to acquire U.S.-made aircraft and communications equipment, and Democrats have appeared reluctant to exert public pressure on the administration over the claims issue.

Some members of Congress and supporters of the claimants have said they think such commercial considerations have caused the administration to be less than vigorous in trying to persuade the Saudis to reconsider.

In a June 10 letter to Bandar, D'Amato said he was "very concerned that American companies may learn of the difficulties faced by firms such as these and become reluctant to do business in Saudi Arabia, depriving both countries of a valuable form of business exchange."

OUTLOOK

Commentary and Opinion

BURNING SECRETS

*In a Virginia Hospital,
A Cold War Time of
Strange Experiments*

By Cliff Honicker

BETWEEN 1949 and at least 1957, the Medical College of Virginia (MCV) ran a secret metabolic lab whose primary goal was preparation for massive nuclear casualties. Imbued with Cold War zeal and scientific arrogance, doctors conducted a series of potentially dangerous experiments on hundreds of unaware human subjects, most of them poor and African American. They were patients, severely burned in accidents, who became unwitting human guinea pigs in the course of their free medical treatment in "Special" burn units set up with Army research funds.

At MCV and two sister hospitals (Dooley, a charity hospital for black children, and St. Philip, a hospital for black adults), about 100 patients and/or volunteers a year were subjected to experimental burning, radiation or antibiotic treatment for what, at least in some cases, were acknowledged to be "investigational purposes."

The doctors injected radioactive isotopes into some of these patients, age 6 months to 90 years, knowing that, in earlier experimentation in their labs, the combined effect of burns and radiation led to significantly increased mortality rates in animals. The goal of the experiments was to develop new methods of medical triage and treatment for handling the millions of U.S. civilian and military casualties that could be expected in a nuclear war.

Last year, at the order of Energy Secretary Hazel O'Leary, the Department of Energy offered to release long secret dossiers on human experimentation. The order came as a result of Albuquerque Tribune reporter Eileen Welsome's Pulitzer Prize-winning series on plutonium experiments in the '40s. The Energy Department, citing a 1986 report by Rep. Edward Markey (D-Mass.), said experiments had been conducted on approximately 800 people nationwide. President Clinton established an Advisory Commission on Human Experiments a month later.

See BURNS, C4, Col. 1

Cliff Honicker is director of the American Environmental Health Studies Project of the Commission on Religion in Appalachia, based in Knoxville, Tenn.



BY FRANCES JETTER FOR THE WASHINGTON POST

Burning Secrets

BURNS, From C1

Some of these human experiments across the country caused little or no proven damage—for example, some involved only the addition of certain trace elements to food; others were conducted on patients judged to be beyond medical help.

But there appears to be no such benign explanation for the Richmond experiments, and after months of professed openness by the Energy Department and the Pentagon, the burn and radiation studies conducted in Richmond have not been revealed.

Files in the college archives suggest that the Richmond experiments may be the only ones in which the principal investigator wrote to the Atomic Energy Commission (AEC) with concerns of malpractice and in-

formed consent *before* conducting the experiments.

In his inquiry, Everett Idris Evans asked about the history, experience and malpractice insurance claims arising from radiation experiments that were "purely investigational with no therapeutic benefit." The AEC and Army nuclear weapons-related human experiments were coordinated through the Armed Forces Special Weapons Project, based in Washington.

Evidence in the Richmond experiments also points to violations of the 1948 Nuremberg International Code that stated that all human subjects be fully informed of experiments conducted on them, that animal studies be done first and that no harm be anticipated in the human subjects as a result of the tests.

The Richmond study met only one

of these conditions: They did the animal experiments first and then set out to experiment on humans. There is no evidence that the patients in special burn units at the three Richmond hospitals were ever told they were being experimented upon, much less fully informed as to the nature of the experiments.

I learned of Evans's concern about malpractice in 1984, in the course of prompting a congressional investigation that subsequently made the first request for Energy Department data on their "Special Case Files" and on human radiation experiments. ("Special cases" was a code used by the AEC to identify injury cases brought on by radiation exposure from the U.S. nuclear weapons programs.)

Evans was a highly-respected and highly decorated military surgeon. In the 1940s, he had served as the chief investigator for the U.S. Army's Office of Scientific Research and Development Board on Shocks and Burns. After the atomic bomb-

ing of Hiroshima and Nagasaki, he served as a consultant to the Atomic Bomb Casualty Commission, the scientific body overseeing studies of survivors. In 1948, he became director of the surgical research laboratories at MCV.

In 1947, Evans, under the auspices of the surgeon general of the Army, set up the first civilian burn unit in the United States at MCV. The unit was to study the metabolic effects of thermal injury in humans and thermal and irradiation injuries in dogs.

By comparing the results of the two, Evans hoped to find ways to quickly distinguish between lethal and nonlethal burns, to develop better one-piece field dressings for such burns and to find the best course of antibiotics to stop infections. The larger goal was to prepare civilian and military doctors for the treatment of casualties that would result from nuclear war on American soil.

In one set of experiments, Evans matched dogs to burn patients, subjecting the animals to first-, second- or third-degree burns depending on the severity of the humans' burns. He then followed the same course of treatment for the dogs and the people, with one exception: He irradiated the dogs. This was supposed to create the type of radiation exposure that people would suffer in a nuclear explosion. Evans discovered that even though the dogs received "insignificant" (i.e., non-lethal) doses of radiation, the animals had a death rate five times higher than dogs that were burned but not irradiated.

Then came the chilling part of the experiments. Evans injected human burn patients in the "Special" Burn Units at Dooley, St. Philip and MCV hospitals with radioactive isotopes that he knew would attach to the red blood cells so that he could chart their rise and fall during the course of the patients' recovery or demise. The problem was that the radioisotopes, being highly energetic, could have contributed to the further destruction of red blood cells—cells in patients who were already on the brink of life and death.

Evans appeared to be aware that his actions might pose danger. On April 8, 1948, on MCV stationery,



BY FRANCES JETTER FOR THE WASHINGTON POST

medical treatment in the spotlight experiments. Evans worked under his Army contract to study the energy level needed to inflict first-, second- and third-degree burns. To do this, Evans and his colleagues set up an intensely hot Army searchlight in a secret lab at MCV, focused the beam to a narrow point of light, and then simulated the "flash burn" an individual could receive from a nuclear blast. Using both black and white "volunteers," the scientists and doctors proceeded to inflict half-inch square burns on more than 100 people.

By burning their subjects at graduated energy levels, the medical doctors, working with the physicists on the team, were able to determine the precise energy level needed to induce moderate to severe burns. The medical doctors and physicists then calculated the percentage of people that would be killed at varying distances from a 20-kiloton nuclear bomb (about the size detonated over Hiroshima) in a typical U.S. city. A team of MCV scientists flew to the Nevada nuclear weapons test site to take part in the experiments there and issued at least two secret reports, according to Evans's reports to the Army.

Evans summarized his conclusions in a report entitled "The Problem of Atomic Burns" submitted to the Sur-

deaths. Were they part of the radiation experiments?

On Jan. 14, 1954, at the age of 44, Evans died of a heart attack and was succeeded by B.W. Haynes Jr.

Haynes, who retired in 1991 from what is now the Evans-Haynes Burn Center at MCV, acknowledges both the burn and radiation experiments, but claims that no one was injured as a result of the investigations.

"We finally got to the point of making a few small wounds on patients, volunteers," said Haynes, now 76, in a telephone interview. "The burns were never large. They never threatened any of the patients in terms of the application and treatment of small burn injuries on humans."

Haynes denied that he and Evans inflicted third-degree burns. "They were," he said, "burns that heal with proper treatment." Haynes confirmed the use of radioisotopes on the patients, but said they were used for therapeutic purposes.

Haynes acknowledged the lab's participation in classified burn studies in Nevada, but said he could not remember details of the experiments.

I would have liked to interview the families of the seven patients who died unexpectedly, but their death certificates are protected by confidentiality laws in Virginia. The main causes of death were infection, allergic reaction to antibiotics and choking on vomitus.

On Friday, acting MCV dean Kontos said that there is "no chance" that human experiments continue at MCV. He also said, "It's pretty hard to pass moral judgment on something that happened 50 years ago."

What was happening at MCV was almost unearthed in early 1951 when a novice Richmond newspaper reporter got word that Evans was burning dogs in his experiments. Fearing bad publicity, Evans, on Jan. 27, 1951, informed everyone working on all Army-contracted research that their work would henceforth be classified. The memo admonished, "All personnel on these projects are advised to take care they do not indulge in loose talk or gossip."

Now, more than 40 years later

YOU KNOW THAT
THE POST HAS
BEEN INFORMING
THE PEOPLE OF
WASHINGTON FOR
OVER 100 YEARS.

BUT MAYBE YOU
DIDN'T KNOW THAT

Kids
deserve
to learn as
much from
The Post
as I did

ADVERTISEMENT

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Evans appeared to be aware that his actions might pose danger. On April 8, 1948, on MCV stationary, he wrote to the head of the Division of Biology and Medicine of the AEC, asking for advice on the "medical-legal" aspects of his experiments.

"Have any malpractice suits been instituted against individuals or institutions who have used radioactive material simply for investigation? Do you have advice regarding insurance against such malpractice? If there have been suits, what have been the court ruling in such instances?" Evans also asked if he should get patients to sign permission forms.

The response of the AEC to Evans's inquiry is unknown. If Evans obtained written consent from the burn patients used in the Richmond experiments, he did not include such information in 800 pages of personal papers and medical research reports from the period 1948 to 1956 that are found in leather-bound volumes kept in the Special Collections archive of MCV. According to Hermes Kontos, who has been acting dean of MCV since 1993, consent forms "did not exist in those days." Kontos said the human subjects were volunteers, but did not know if they were told the military purpose of the experiments. Kontos, who has been at MCV since 1960, said that he first learned of the human experiments last week.

Although the patients' names, dates of death, levels of burns and estimated probabilities of mortality are reported in the files, exactly what was done to whom and over what length of time, is unclear. But the substance of the experiments themselves is clear.

It is hard to imagine any claims of



BY FRANCES JETTER FOR THE WASHINGTON POST

medical treatment in the spotlight experiments. Evans worked under his Army contract to study the energy level needed to inflict first-, second- and third-degree burns. To do this, Evans and his colleagues set up an intensely hot Army searchlight in a secret lab at MCV, focused the beam to a narrow point of light, and then simulated the "flash burn" an individual could receive from a nuclear blast. Using both black and white "volunteers," the scientists and doctors proceeded to inflict half-inch square burns on more than 100 people.

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Evans summarized his conclusions in a report entitled "The Problem of Atomic Burns" submitted to the Surgeon General of the Army in 1951: "No matter how lightly or how conservatively one views the 'burn problem' which will confront a city and its population recovering from an atomic bomb attack, the one conclusion permissible is it will be stupendous. It may be pointless to refer here to the numbers of trained doctors, nurses and first aid workers necessary to solve this problem. Only free men with strong hearts and wills can face up to the gigantic task of providing by training and discipline the necessary workers. Provision for this training must be made at once, lest contemplation of the magnitude of the task only encourage despair."

His closing words were: "Adequate and intelligent provision for the care of thousands of burn casualties in any large American City is possible when strong men face up to this task."

Evans's medical prognosis given to the top military leaders at the height of the Cold War was that Americans could "withstand and prevail" under nuclear attacks on our cities. It came at a time of "national emergency," an era when informed consent did not appear to be foremost in the minds of military planners.

But did Evans knowingly put his patients in harm's way?

Certainly he knew from the animal studies the dangerous synergistic effect of thermal burns and radiation exposure. In the burn unit's 1954 annual report to the Army, Evans and his successor noted that there were seven unexpected

deaths, seven died of a heart attack and was succeeded by B.W. Haynes Jr.

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Now, more than 40 years later, how can we be assured that documents in government files on the Richmond experiments and others like them will be released, even in this new era of "openness"? The Army has released a list of 30 Army-funded human experiments to the President's Commission on Human Experiments. Among them are experiments following in the footsteps of Evans's ground-breaking investigations on burns. Nowhere to be found, however, are any references to Evans and his experiments, which seems odd, given the Army was the primary, if not the sole funder of Evans's work. And on list after list of experiments provided to the Commission by the Army and Air Force, the agencies report that they have been "unable to locate" any names of the victims.

Meanwhile, even unclassified documents giving clues to the existence or whereabouts of classified information on human experiments is not forthcoming, according to internal Department of Energy memoranda. "Unclassified, sensitive indicators can provide an adversary with data that could lead to a knowledge of classified information," one memo reads. Are these adversaries the American public?

Short of appointing an independent investigator, perhaps the only way even to attempt to get at the whole truth is for everyone looking into or with knowledge of these experiments to pool their resources, knowledge and "leads." It is time to put together the many pieces of the puzzle so that we can have the whole, clear picture of this sorry, hidden chapter in American history.

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ed especially for kids.

n Post is an integrated,
for classroom teachers of
velve. Teachers can
of all ages to learn reading,
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its and other adults with a
help kids learn more with

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PHOTOCOPY
PERMISSION

netta knows government, he's Washington, and his confidence in his own political instincts is not to be higher. This is a guy who he Nixon administration when he a good whiff of the authoritarian-wafting down from the White se into the Department of Health, cation and Welfare, where he was ng honorably to enforce civil ts laws.

aving served previously as an aide a Republican senator, he went e to California, became a Demo- and won election to the House in '6. He was chosen by his col- gues as chairman of the Budget mmittee—a merit appointment, controlled by seniority—and was mended to Clinton (who previ- ly did not know him well) as the ht man to run the administration's dget. He got high marks from ev- yone in that job.

What Panetta does not have is the nd of personal loyalty Clinton rged with other White House staffs and advisers who went through e fires of the 1992 campaign at his de. That lack proved debilitating to aid Gergen when Clinton added to the top staff last year, and he is yw on his way out.

Panetta also has little reputation as n administrator. But he does have e qualities possessed by the man he ays is his role model as chief of taff—James A. Baker III. Panetta is ntellectually tough, politically savvy epecially about Capitol Hill) and rusted by politicians of both parties and the press.

But unlike Ronald Reagan, who was nappy to delegate strategic decision-making to Baker and other aides, Clinton likes to do it himself. So does Hillary Rodham Clinton. And so does Vice President Gore. Panetta says he sought and received "full authority" from Clinton—and acquiescence from the First Lady and the vice president—to manage both personnel and policy in the White House. Clinton has a talent for telling people what they want to hear. We will see if Panetta really has running room to become another Jim Baker. If he does, this White House will change—and change for the better.

Eugene P. Trani

No Burning Secrets

On June 19, The Post's Outlook section carried an essay titled "Burning Secrets" by Cliff Honicker, director of the American Environmental Health Studies Project of the Commission on Religion in Appalachia. The article claims that secret and unethical Cold War experiments were conducted in the 1950s at the Medical College of Virginia, now a part of Virginia Commonwealth University.

In an inaccurate portrayal of the archival records, the article falsely alleges that Dr. Everett Idris Evans and a scientific team working in MCV's burn unit—the first civilian burn unit in the country—took advantage of "unaware human subjects, most of them poor and African American" in burning and radiation studies.

In fact, these not-so-secret studies resulted, during the course of the research project (1949-59), in the publication of 27 articles in nationally recognized scientific journals, a number of presentations before the most prestigious medical and surgical organizations in the world, and local Richmond newspaper coverage.

Funded by grants from the U.S. Army Medical Research and Development Command, Dr. Evans and his team conducted a series of studies involving animal and human subjects to examine the impact of the effects of an atomic blast. The animal study involved whole-body X-ray radiation. Its purposes were to determine the fluid and blood replacement needs following severe burns and to devise approaches to coping with large-scale burn trauma. No such studies were done on humans.

A second, very different study sought to determine the effects of heat radiation and different degrees of thermal injury on healthy human subjects. This study used paid volunteers. They included 44 white MCV students and 22 African American Virginia Union University students. The research team, including two women investigators, also subjected themselves to burns. In this study, subjects received dime-sized "flash" burns of varying degrees on their arms from a 24-inch field Army light—the "intensely hot Army searchlight in a secret lab" noted in the article.

Among the researchers' conclusions re-

ported in the Richmond newspapers in 1953 and 1954 was that damage from an atomic blast would occur in less than a second, contrary to earlier theory suggesting a longer time lapse. They also learned for the first time that women and African Americans burn more easily than white men. It is interesting to note that the MCV scientists recognized the merit of using women as well as men, African American

Taking Exception

as well as white, subjects—a major interest of federally funded research today.

The study team also conducted a third study involving burn patients at MCV that was both investigative and therapeutic. It is this aspect of the project that the article attacks most, suggesting these patients were "unwitting" subjects of dangerous radiation.

This study incorporated batteries of diagnostic tests not unlike those conducted nowadays on seriously ill patients in intensive care units. Over the 10-year period of the study, more than 770 patients were treated in MCV's burn unit, of whom approximately 460 were African American. This study investigated complications resulting from severe burns, particularly fluid loss and anemia.

One test—called the most "chilling part of the experiments" in the article—involved measuring blood volume, red blood cell volume and red blood cell survival. This test involves taking a small sample of the patient's blood and mixing it with a tiny amount of a labeling agent to tag the red blood cells. This sample is then reinjected into the patient. The labeled cells are identified by subsequent sampling, allowing the calculation of blood volume and red blood cell survival.

Two types of labels were used: phosphorous-32 and glycine containing nitrogen-15. Nitrogen-15 is a stable isotope of nitrogen and is not radioactive. Phosphorous-32, which is radioactive, is on the order of the background radiation to which an individual living in North America would be exposed in a given year. Patients who today undergo

PHOTOCOPY
PRESERVATION

a thallium stress test to diagnose coronary artery disease receive six times as much radiation.

It is important to realize that since the work of Nobel laureate George Charles de Hevesy in the early 1940s, phosphorous-32 had already been in use as a diagnostic tool to measure red blood cell volume. The technique of tagging red blood cells with a radioactive isotope is a standard clinical tool used in hospitals around the world.

The net results of the entire MCV project led to several important advances. These included, among others, the most effective use of antibiotics, the development of fluid and nutritional requirements following thermal injury, a universal dressing for burns, and the causes and treatment of anemia—all of which formed the basis for procedures used today to treat burn victims.

Among the major problems of Honicker's article is that it inappropriately links the whole-body radiation in the experimental animal study to the clinical blood cell studies performed during the treatment of the burn patients. Comparing the former to the blood cell test, however, suggests a gross misunderstanding of the science.

Another grave concern is that the article questions whether the patients who died during this time did so as a result of the tests. It is important to recognize that these were severely ill patients. The top priority of the physicians involved in the study was to try to save their lives, and those who did not survive almost surely died from their condition.

The article also raises the matter of informed consent, implying that patients were victims of self-serving scientific ends. Again, radiation experiments were not conducted on patients. All studies conducted on patients were administered only for the appropriate diagnostic and therapeutic reasons, and they were covered under a general consent for hospital procedures. The volunteers gave verbal consent, the medical and scientific standard being practiced at the time of the project.

In addition, the Atomic Energy Commission served as the oversight body reviewing radiation studies. In fact, the MCV project

was approved by an internal faculty committee established under the auspices of the Atomic Energy Commission. It was not until 1971 that federal regulations governing research protocols, including documentation of informed consent, were established through the Department of Health, Education and Welfare.

Finally, the article questions Dr. Evans's reasons for writing the Atomic Energy Commission requesting information on malpractice and other exigencies of radiation in studies. It would have been natural for Dr. Evans to be concerned about the liability of the institution in studies involving human subjects. Lacking the federal safety net that would come later, Dr. Evans could have been seeking information to help him govern his own study.

This was not the stuff of a top-secret lab nor the work of unethical scientists on a project that lacked therapeutic purposes. Rather, the team embodied the ethic of the basic researcher—that investigative medical studies ultimately should produce new treatments for patients and a better understanding of prevention. Judging by an editorial on the surgeon's ethics that Dr. Evans published in 1950 in the *Annals of Surgery*, it also is clear that he was himself a staunch proponent of appropriate medical ethics.

In all, The Post article's "investigation" of the Medical College of Virginia's burn unit misreads the record, misrepresents the work of the scientists and moralizes about past research practices.

In attempting to understand the events of yesterday, it is vitally important for journalists, editors and authors to get the facts and their interpretation straight. It is all the more critical when the reputations of individuals and institutions are at stake and when the danger exists that former patients and their families will be misled about their treatment.

The work of MCV's investigators, the times in which they made their groundbreaking discoveries and the former patients of MCV deserve better.

The writer is president and professor of history of Virginia Commonwealth University.

Andrew Jackson son.

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MEMO

5/6/94

TO: INTERAGENCY GROUP
FROM: Gauldin *Gauldin*

RE: Press plan for April 21 Advisory Committee meeting

This first meeting of the Advisory Committee will be approached not as a press event, but as a working meeting which the press is able to cover.

The meeting takes place over two days in which the Administration is staging several Earth Day events and we will be trying to avoid stepping on the Earth Day messages.

We will steer the press toward getting most of their stuff the first morning. We expect as many as 100 press bodies plus cameras and gear that morning.

Morning ceremonial session

Press will be restricted to risers and seating in the back of the auditorium. Cameras and microphones will be restricted to the risers and a wander area where they can do interviews with cabinet secretaries and panel members during breaks.

Press availability

Dr. Faden will end the morning session with a short press availability.

Remainder of session

Press will be present under same restrictions, but no further formal press avails or statements will be offered.

Press staffing

Mike Gauldin, DOE, and Steve Klaidman, Advisory Committee public affairs director, will assemble an interagency team of press officers to take care of advance and site staffing.

Press materials

DOE will prepare about 500 press kits in White House folders. Expected contents attached.

DOE will draft a press advisory to be issued by the White House notifying press of the meeting.

Faded
3/2/94
et

PRESS KIT MATERIALS

WHITE HOUSE MATERIALS

Clinton statement
Clinton executive order
Clinton order to agencies on current experimentation

INTERAGENCY WORKING GROUP MATERIALS

Recap of Interagency Group's work
Helpline statistics update
Varney record retrieval memo
Working group pamphlet
Agency fact sheets: status of record retrieval/agency actions
Agency press contacts list
History of informed consent standards (HHS)
Benefits of radiation experiments (HHS)

ADVISORY COMMITTEE MATERIALS

Meeting agenda
Faden bio
Gutman bio
Committee members and short bios
Committee press contact information

APR- 7-94 THU 10:00 OFFICE OF THE DEAN

MEMO

To: Mike Gauldin, DOE
From: Steve Klaidman

Re: Talking points for Agency heads, etc, April 21

For agency heads

1. Commitment to a totally independent investigation.
2. Commitment to fair treatment and respect for subjects and families.
3. Expression of confidence in expertise and seriousness of the committee.

For Ruth Faden

1. Assertion of committee's independence.
2. Outline of committee's goals.
3. General statement on the need to be selective in choosing cases to be investigated.

Model Soundbite

Anyone with the slightest sense of decency can see the importance of exposing these experiments to daylight and making sure the subjects who are still alive, and their families, get the fair treatment and respect they deserve.

The Department of XXX guarantees this independent committee of carefully selected experts whatever help it needs to do the job.

HUMAN RADIATION EXPERIMENTS

COMMUNICATION MESSAGES

THE CLINTON ADMINISTRATION IS UNDERTAKING THIS TASK BECAUSE IT IS THE RIGHT THING TO DO.

If American citizens were endangered wrongfully by their own government during the Cold War, this Administration owes it to the American people to give a full accounting, to "come clean," and to issue an apology on behalf of the American people.

THIS HISTORIC EFFORT IS AN EXAMPLE OF THE CHANGE THE CLINTON ADMINISTRATION HAS BROUGHT TO WASHINGTON.

The review of human radiation experiments conducted during the Cold War is in line with several fundamental positions of the Clinton Administration:

REINVENTING GOVERNMENT

- This initiative will make records of government actions available to the public in a way that they can reasonably be studied, rather than ignored in obscure corners all over the country.
- Review of human experiments shows responsiveness to widespread public interest the subject and public desire that this period of our country's history be fully examined.

REDUCING SECRECY

- President Clinton has ordered government to reduce secrecy about past and current operations.

EARNING TRUST AND CREDIBILITY

- The Clinton Administration believes that the American people have a right to trust their government and trust can only be achieved if the government is open and truthful with the people.

CHANGE

- In the past, the government has been forced by Congress or citizen groups to examine the issue of experiments on humans. The response by previous administrations has been grudging and designed to down-play the issue. This is the first broad inquiry generated by the government itself.
- This initiative represents part of the history-making change in government that the Clinton Administration has brought to Washington.

Date: 05/03/94 Time: 10:57

Stillborns tested for radiation in 1950s

CHICAGO, May 3 (May 3) UPI - The federal government conducted radiation tests on stillborn babies in the 1950s to measure the amount of nuclear fallout in the food supply, according to newly declassified documents.

The information was contained in materials released Monday by the U. S. Department of Energy and the university, which has agreed to reveal details about the former Atomic Energy Commission's Cold War experiments on humans early in the nuclear age.

The tests on stillborns were carried out at the University of Chicago under the code name Sunshine Project. In the experiment, the babies and adult corpses were tested to see how much radiation had entered the food supply as a result of above-ground nuclear testing in Nevada.

No mention is made in the notes of the project's director of how the babies were obtained, or if parental consent was given. The Sunshine Project was headed by Nobel laureate Willard Libby of the University of Chicago.

The disclosure is the latest in a string of revelations about Cold War-era human tests contained in the declassified documents. Earlier documents revealed that mentally retarded teenagers and other disadvantaged people were unwittingly administered radiation doses to observe their effect on humans.

The documents showed that 44 stillborn babies were used in the fallout tests, which were conducted from the early to mid-1950s. None of the babies died as a result of the tests, said Steve Gallson, an Energy Department radiation specialist.

He said the experiments were done to determine how much radiation the human body could bear, and were probably useful in trying to determine the health effects of nuclear testing. Stillborns were preferred because the babies had not been exposed to other environmental sources of radiation.

President Clinton has appointed a committee to investigate the tests and determine if compensation is owed to survivors.

NEWS

US agencies split over inquiry into effects of radiation experiments

Washington. Deep divisions have emerged between the US Department of Health and Human Services and the Department of Energy over the value of an investigation into human radiation experiments in the United States that has been launched by the Clinton administration.

The \$3-million-a-year investigation will address public concern that has been heightened by Hazel O'Leary, the secretary of energy. She has been campaigning since December to "open up" the history of her department's predecessor, the Atomic Energy Commission (AEC) (see *Nature* 367, 303; 1994).

But Donna Shalala, the secretary of health, is known to be worried that the government-wide investigation will waste her officials' time, while fuelling public paranoia about all use of radiation in research and medicine.

The investigation is expected to yield

valuable lessons about scientific ethics, according to its chairwoman, Ruth Faden of Johns Hopkins University in Baltimore. But critics are concerned that the enquiry, set up by the president, manned by eminent lawyers and scientists, and supported by a strong full-time staff, will merely result in more public confusion and mistrust on the radiation testing issue.

At the first meeting of Faden's panel last week, the problems facing the investigation — such as the vast amount of data to be considered, and the ill-defined boundaries of the task — led some members to doubt whether it could be completed in a year as planned.

The investigation is to deal with all radiation experiments carried out on humans between 1946 and 1974, when the health department issued new guidelines to safeguard human subjects.

Shalala told the meeting that the Department of Health and Human Services, which provides \$11 billion for biomedical research annually through the National Institutes of Health (NIH), could provide a billion sheets of paper on radiation experiments if asked.

She also reminded the meeting that three-quarters of all NIH projects make use of radiation in some way. Like other government agencies, NIH rarely receives from the new panel on exactly which radiation experiments it wants to know about.

Speaking at an informal lunch of Congress's Biomedical Research Caucus last Friday, the day after the inquiry was launched, Harold Varmus, the director of NIH, voiced his concern publicly. One aspect of his job that he did not like, he said, was devoting effort "at a time of scarce resources, to digging through a billion sheets of paper in the Clinical Centre about experiments we did in 1950".

In common with other government agen-

cies, NIH tried to avoid involvement in O'Leary's campaign when it started in December. Health department officials sought to draw a line between its health-related research and the then-AEC's interest in the effects of radiation from atomic bombs.

But as public interest rose, President Bill Clinton aligned himself with O'Leary and instructed all agencies to cooperate.

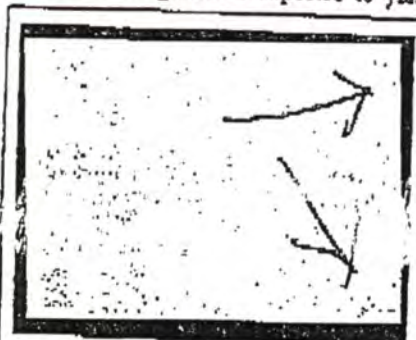
Faden says that the investigation will concentrate on three tasks, three duties and three themes. Its first task, she says, will be to establish what standards should be applied to radiation experiments during that period. Second, the investigation will review the experiments against that standard, and consider the need for follow-up studies, official apologies and financial compensation. Third, it will look at current experimental practices and policies.

The investigation's duties, Faden says, are to satisfy three constituencies: government that it can be trusted; the public that it can trust; and scientists that they will be treated fairly. The three themes that will run through the investigation, according to Faden, will be the ethics of research, the role of secrecy in a democracy, and the competing rights of the citizen and the state.

Following the investigation, Senator John Glenn (Democrat, Ohio), chairman of the Senate's Governmental Affairs Committee, said it was likely that its report would lead to legislation to enable compensation of victims of radiation experiments. He added that the panel should run for more than a year if it felt this was necessary.

The panel will digest existing data on radiation testing, take evidence from the public and produce an interim report in six months that will include an estimated time of arrival for its final report.

Colin MacLachlan



London. Money can't buy you a title they say, but it could buy you the honour of naming this rare bird. The charity BirdLife International is seeking donations towards preserving this new species of tinamou, a small insectivorous bird discovered in the rainforest of the Colombian Andes in 1991.

Its discoverer, Paul Salaman, from the University of East Anglia, has waived his traditional right to have the bird named after him and it will now be named after the company or individual donating the most to its conservation. The as-yet nameless bird comes from the Chocó region on the western slopes of the Andes and is thought to be unique to that region, where it has now been found at two separate sites.

Some 30,000 hectares of forest have been bought as a reserve in an area otherwise earmarked for development, and around £70,000 (US\$105,000) is needed towards establishing an endowment fund in conjunction with a Colombian foundation to run the reserve and ensure its survival.

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available £1 million (US\$1.42 million) for research grants in eight technological areas, including biotechnology, advanced manufacturing technology and advanced materials. In addition, it is making available £850,000 in basic research grants.

Scientists have cautiously welcomed the move as a possible signal of a change in

Science

Whose fortunes a year when the only £150,000. Ireland has its in research in ce policy. But a

versity scientists has made research funding a hot political issue (see *Nature* 367, 586; 1994).

The prime minister, Albert Reynolds, admitted last week that the government had been slow to recognize the importance of science and technology. But he said that this "relative neglect" is now coming to an end.

Alison Abbott



NEWS RELEASE

Senate Committee on Veterans' Affairs

John D. Rockefeller IV, Chairman

Room SR-414 • Russell Senate Office Building • Washington, D.C. 20510-6375

(202) 224-9126 • Fax (202) 224-9575

For immediate release:
April 29, 1994

Contact: Diana Zuckerman
(202) 224-9126

ROCKEFELLER TO CHAIR HEARING ON HEALTH EFFECTS OF SECRET MILITARY RESEARCH AND OTHER INTENTIONAL EXPOSURES

Washington, DC -- Illnesses and potentially fatal diseases resulting from the intentional exposures of hundreds of thousands of U.S. servicemen and women for 50 years will be examined in a hearing of the Senate Committee on Veterans' Affairs, chaired by Sen. John D. Rockefeller IV (D-WV). The hearing will be held on Friday, May 6, starting at 10 a.m. in Room 106 of the Dirksen Senate Office Building.

"We'd like to think that abuses such as radiation exposure, exposure to chemical or biological weapons, and other outrages are a thing of the past, but the legacy continues," according to Sen. Rockefeller. "During the Persian Gulf War, hundreds of thousands of soldiers were given experimental vaccines and drugs, and our investigation indicates that these medical products could be causing many of the 'mysterious illnesses' those veterans are now experiencing. And for at least a decade, and continuing today, the testing of chemical and biological agents at military facilities may be putting our soldiers and civilians at risk."

The hearing will disclose the results of an intensive 6-month investigation conducted by the Committee. The investigation focuses on Persian Gulf War veterans, but extends from World War II-era veterans to the present. Committee staff found that when soldiers participate in secret experiments that can cause physical harm, the lack of medical records and public information about those experiments have made it impossible for many veterans to obtain the medical care and compensation to which they are entitled.

In addition to the risks of the experiments and the unapproved vaccines and untested uses of medication, witnesses will also describe the removal and intentional omission of information from soldiers' medical records.

Witnesses will include officials from the Department of Defense, the Department of Veterans Affairs, and the Food and Drug Administration, as well as veterans from World War II, the Persian Gulf War, and Dugway Proving Grounds, a military facility in Utah. Experts on the potential health effects of these intentional exposures will also testify.

Members of the Committee, in addition to Senator Rockefeller, are Senators Dennis DeConcini (D-AZ), George J. Mitchell (D-ME), Bob Graham (D-FL), Daniel K. Akaka (D-HI), Thomas A. Daschle (D-SD), Ben Nighthorse Campbell (D-CO), Frank H. Murkowski (R-AK), Strom Thurmond (R-SC), Alan K. Simpson (R-WY), Arlen Specter (R-PA), and James M. Jeffords (R-VT).

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

April 21, 1994

**STATEMENT BY THE PRESIDENT
ON THE ADVISORY COMMITTEE ON HUMAN RADIATION EXPERIMENTS
MEETING**

I commend the work already done by Secretary O'Leary, other members of the Cabinet, and the many other agency officials on the issue of government-sponsored human radiation experiments which took place during the past 50 years. Today's first meeting of the Advisory Committee on Human Radiation Experiments is another step by the Administration to have an honest and open approach to its investigation of the Cold War-era experiments.

The Advisory Committee has an important task in determining whether the U.S. government treated its own citizens wrongfully through human experimentation. Both those Americans who were the subject of these questioned experiments and the scientists who performed them deserve a fair and thorough investigation.

Only by dealing honestly with the past can we hope to build a better future.

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**WHITE HOUSE INDEPENDENT ADVISORY COMMITTEE
ON HUMAN RADIATION EXPERIMENTS**

NEWS MEDIA CONTACT
Steve Klaidman, (202) 254-9795

FOR IMMEDIATE RELEASE
April 20, 1994

MEDIA ADVISORY

The first meeting of the White House Independent Advisory Committee on Human Radiation Experiments will take place at the Ramada Plaza Hotel, 10 Thomas Circle, Washington, D.C., on April 21-22, 1994.

Chaired by Dr. Ruth Faden, an esteemed medical ethicist from Johns Hopkins University, the committee is composed of non-governmental interested persons and experts in the fields of ethics, science, medicine, and law. The committee will review past human experiments using ionizing radiation sponsored or conducted by the federal government and advise the Human Radiation Interagency Working Group on the scientific or ethical standards of the experiments.

The meeting is open to the public. Hours are from 9:30 a.m. to 5 p.m. Media should register at the door, and a special area will be provided.

Dr. Ruth Faden will be available to talk with media at noon on Thursday.

AGENCY MEDIA CONTACTS:

Department of Defense	Major Bob Potter	(703) 697-5131
Department of Energy	Mary Freeman/John Donnelly	(202) 586-5806
Department of Health and Human Services	Bill Grigg	(202) 690-6867
Department of Justice	Julie Anbender	(202) 514-2007
Department of Veterans Affairs	Donna St. John	(202) 535-8300
Central Intelligence Agency	David Christian	(703) 482-7754
National Aeronautical & Space Administration	Mark Hess	(202) 358-1898

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April 19, 1994

MEDIA ADVISORY

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Department of Energy
Washington, DC 20585

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Rich Olson

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Radiation Tests Said to Violate Youths' Rights

Associated Press

BOSTON—A task force has concluded that radiation experiments on mentally retarded students at two state schools violated the youths' human rights and they should be compensated, the Boston Globe reported.

The Task Force on Human Subject Research rejected the argument that the research was acceptable based on standards of that time and that the quantity of radioactive material did not threaten the students' health.

The report faults researchers from Harvard University and the Massachusetts Institute of Technology who did the experiments, as well as the state for not protecting the students.

"The research conducted on human subjects at or from the state schools between 1943 and 1973, which involved the introduction of radioactive substances into their bodies, was conducted in violation of the fundamental human rights of the subjects involved," the report said.

The task force said the subjects should be compensated for any damage caused by the research, but it does

not say who should pay. It also recommends that test subjects get federal health benefits.

The draft report was published Friday by the Globe, which said it is being circulated among members of the task force for approval before release.

The final draft of the report is scheduled for release later this month.

MIT spokesman Robert Dilorio declined to comment on the Globe report as did Harvard spokesman Joe Wrinn. But Wrinn said Harvard had been cooperating with the task force and "we remain ready and willing to assist the commonwealth in trying to address any unanswered questions."

The state set up the task force in December after reports that about 120 young people at the Fernald State School were given tracer amounts of radioactive iron or calcium in cereal in the 1940s and '50s without their consent.

Exposure was mild, estimated at an average of 330 millirems, but experts agree the students and their guardians should have been fully informed.

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For CAV

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

April 13, 1994

REMARKS BY THE PRESIDENT
TO THE AMERICAN SOCIETY OF NEWSPAPER EDITORS

J.W. Marriott
Washington, D. C.

12:31 P.M. EDT

THE PRESIDENT: Thank you very much, Bill, for the introduction. And thank you, ladies and gentlemen, for the invitation to come by again.

I can't help noting some satisfaction that the president of this organization is not only the editor of the Oregonian, which endorsed my candidacy in 1992 -- the first time it ever endorsed a Democrat for President. I hope they haven't had second thoughts. (Laughter.) He also spent the first eight years of his life in Arkansas, which didn't seem to do him too much harm. (Laughter.)

I am delighted to be here. I want to make a few remarks and then open the floor to questions. We probably have some things in common -- both of us battle, from time to time, with reporters. (Laughter.) And I recently did some light editing on my mother's autobiography, so I appreciate the difficulty of editing things. It was a little easier for me -- my mother, when she got very ill, I said, what are we going to do if you don't finish your book? She said, you finish it, don't touch anything I said about you -- (laughter); check the facts, don't let me be too hard on the living. So it was easier for me than it was for you.

But let me say I've been thinking about it a lot lately because it gave me a chance to relive a period in American history that spanned my mother's life, as well as my own, starting in the Depression. In many ways, like everybody's family, her life was unique. But it was in many ways like that of so many people who grew up in the Depression and World War II, and exemplified and made possible the rise of the American middle class.

Most of those people were obsessed with working hard and taking care of their families and building a better future for their children; and they never doubted they could do it. There's a reason, I think, we ought to think about that today -- and that is that there are a lot of people who doubt that we can continue to do it.

Our mission at this moment in history, I believe, is to ensure the American Dream for the next generation -- to bring the American people together; to move our country forward; to make sure the middle class grows and survives well into the 21st century.

My mother's generation knew what we are learning, and that is that the preservation of these kinds of dreams is not as simple as just talking about it. She had to leave home after she was widowed to further her education so she could make a good living. And my earliest memory as a child is of my grandmother taking me to see my mother in New Orleans when she was in school and then seeing her cry when I left the train station as a little child.

But our generation is full of parental stories about the sacrifices that were made for us so that we could do better. And all of us in this room have been exceedingly fortunate in that regard. The generation that our parents were a part of built the houses, the schools, educated the children that built the explosion of American energy and industry after the second world war.

Underneath the magnificent material mileposts, which left us with only 6 percent of the world's population then and 40 percent of the world's economic output was a set of values. They believed we had to work hard; that we had a duty to do right by our community and our neighbors; that we were obliged to take responsibility for ourselves and our families. Without those values, the successes would not have occurred, and nothing else passed on to us would amount to much for we would quickly squander whatever material benefits we had.

Most of my mother's generation, at least that I knew, would never have put it this way, but they lived by a creed that I was taught by a professor of western civilization at Georgetown, who told me that the great secret of Western Civilization in general, and the United States of America specifically was, that always at every moment in time, a majority of us had believed that the future could be better than the present, and that each of us had a personal, moral responsibility to make it so. In pursuit of that dream, the Americans in this century have made a solemn bargain with their government -- government should work to help those who help themselves.

Forty-nine years ago today, Harry Truman spent his first full day as President of the United States. No one ever did more to honor that solemn bargain. After World War II, our country chose the course of confidence not cynicism, building a stable world economy in which we could flourish -- with the Marshall Plan and the General Agreement on Tariffs and Trade, which we have just concluded the Uruguay Round.

We lifted a majority of our people into the middle class, not by giving them something for nothing, but by giving them the opportunity to work hard and succeed. In just two months, we'll celebrate the 50th anniversary of the G.I. Bill of Rights, which helped more than 20 million American veterans to get an education, and millions more to build businesses and homes.

These great achievements did not belong to any particular party. They were American decisions. They were not the reflection of a country pulled to the right or to the left, but a country always pushing forward. They reflected the vision and the values of leaders of both parties. After Truman, Eisenhower continued the tradition by building the interstate highway system and by investing in the space program and science and technology and in education. The tradition continued in the next administrations, all

working toward greater prosperity but rooted in certain values that enabled us to go forward.

But the seeds of our new difficulties that we face in such stark reality today were sown beginning three decades ago, and changes in our social fabric, and two decades ago in changes in our general economic condition. We have seen the weakening slowly of the institutions and the values which built the middle class and the economic underpinnings which made it possible in theory, at least, for all Americans to achieve it.

Three decades ago, in 1960, births outside of marriage were 5.3 percent of total children born. In 1980, the rate had risen to 18.4 percent; in 1990, to 28 percent. There are many of those who say, well, Mr. President, you're overstating the case because the birth rate among married couples has dropped so much. It may be. All I know is that those kids are our future, and the trends are inescapable and disturbing. And the rates for teen mothers in poverty and for all mothers without a high school education of out-of-wedlock birth rates are far, far higher than the 28 percent that I just said.

The fear of violent crime has made neighbors seem like strangers. And as Senator Pat Moynihan of New York has said, Americans have begun to "define deviancy down." We're simply getting used to things that we never would have considered acceptable just a few years ago.

In the post-war economy, a high school diploma meant security. By the time of the 1990 census, it was clear that a high school diploma meant you'd probably be in a job where your income would not even keep up with inflation. Most middle-class families have to work longer hours to stay even. The average working family in 1992 was spending more hours on the job than it did in 1969. And in too many neighborhoods, the vacuum that has been created by the absence of work and community and family has been filled by crime and violence and drugs.

In the 1980s, the world continued to change dramatically economically. And I would argue that, in general, our collective response to it was wrong; even though many of our best companies made dramatic productivity gains which are benefitting us today. We reduced taxes for some Americans -- mostly the wealthy Americans -- and we increased the deficit. But increases in Social Security taxes and state and local taxes put further strains on middle-class incomes. From 1981 to 1993, our nation's debt quadrupled, while job creation and the general living standard of the wage-earning middle class stagnated or declined.

So we have these problems that, let's face it, brought me to the presidency in 1992 -- the abject conditions that Americans were groping to come to grips with. You can be proud that so many newspapers have done so much to not only call attention to these problems but to make them really real in the lives of people and to cry out for new thinking.

In its remarkable series, "America: What Went Wrong," the Philadelphia Inquirer showed how the national government's policies had undermined the middle class already under stress by a global economy. Of all the facts cited by Donald Bartlett and James

Steele, one stood out to me. In 1952 it took the average worker a day of work to pay the closing costs on a home in the Philadelphia suburbs. In the 1990s. it took 18 weeks.

The Chicago Tribune on its front page underscored the epidemic of violence killing so many of our children and robbing so many others of their childhood. The Los Angeles Times explored the loss of a sense of community that prompted the riots there two years ago. Recently when I was in Detroit for the jobs conference, the papers there talked about the changing job market and the state that was the automobile capital of the world -- the good and the bad dislocations that have occurred and what was working.

Recently in the Pulitzer Prizes, which were awarded yesterday, I noted that Bill Raspberry got a well-deserved Pulitzer for his commentaries on social and political subjects. And Isabel Wilkerson's report on children growing up in the inner city in New York -- The New York Times won.

Our administration owes a special debt to Eileen Welsome's series in the Albuquerque Tribune exposing secret governmental radiation experiments conducted decades ago which have consequences today. And I'm proud of the openness that the Secretary of Energy, Hazel O'Leary has brought to the Energy Department in dealing with this.



There are lots of other things I could mention -- the Akron Beacon Journal's examination of race relations there. The Minneapolis Star Tribune's editorial board hosted me the other day, and I had one of the most searching and rewarding discussions of the health care conditions in our country that I have had in a long time.

Every day, you are challenging us to think and to care through your newspapers. My job is to act. As I travel the country, I see that that is basically what people want us to do. They want us to be careful; they know we live in a cynical age and they're skeptical that the government would even mess up a one-car parade. But they want us to act.

The future of our American leadership depends upon what we do at home, but also what we do abroad. Last year among the most important developments were the trade agreements -- the NAFTA agreement, the GATT agreement, the historic meeting we had with the leaders of the Asian Pacific communities. But we have a lot of problems, too. By attempting to come to grips with them in a world increasingly disorderly, we hope to preserve an environment in which America can grow and Americans can flourish.

Whether it is in addressing North Korea's nuclear program, which protects not only our troops on the Peninsula, but ultimately the interests of all Americans; or supporting reforms in the Soviet Union, which helps to destroy missiles once aimed at us and to create new market opportunities for the future; or by harnessing NATO's power and the service of diplomacy in troubled Bosnia, which will help to prevent a wider war and contain a flood of refugees. Our efforts to stop the shelling of Sarajevo and the attacks on Gorazde, to bring the Serbs back to the negotiating table, to build on the agreement made by the Croats and the Bosnian Muslims, enhanced both Europe's security and our own.

Here at home, for the past 15 months, we have focused on starting the engines of upward mobility -- to try to make sure we can remember the values of the so-called "forgotten middle class" with an economic plan that is fair -- with cuts that are real, investments that are smart, a declining deficit and growing jobs.

Last year, our budget cut 340 programs, including most major entitlements. This year, the budget calls for cutting 379 programs, including the outright elimination of a hundred of them. As we cut unneeded programs, we're investing more in education, in medical research, in the technologies of tomorrow that create jobs now -- whether in defense conversion or in environmental sciences.

We're fighting for a revitalized Clean Water Act -- a safe drinking water act, a reformed superfund program. All of them will clean the environment, but they will also create the jobs of tomorrow, everybody from engineers to pipefitters.

As April 15th approaches, people will see that I did tell the truth last year about our economic program -- 1.2 percent of Americans will pay more in income taxes, including me and some others in this room. All that money will go to reduce the deficit. One-sixth of America's workers will get an income tax cut this year because they are working hard and raising children but hovering around the poverty line. And we are attempting to reward work over welfare, and to prove that people even in this tough, competitive environment can be successful workers and successful parents. That's why the Earned Income Tax Credit was expanded so much. I believe it was the right thing to do.

The economic plan creates new opportunities to send people to college by lowering the interest rates and broadening the eligibility for college loans and then changing the terms of repayment so that young people can pay them back as a percentage of their earnings regardless of how much they borrow.

There is in this economic plan a new business capital gains tax rewarding investments to the long-term people who make new investments for five years or more will get a 50 percent tax cut in the tax rate. And a 70 percent increase in the small business expensing provision -- something that's been almost entirely overlooked -- which makes 90 percent of the small businesses in the United States of America -- those with taxable incomes of under \$100,000 -- eligible for an income tax cut.

The economy has generated a 20 percent increase in auto sales and 2.5 million new jobs -- 90 percent of these new jobs are in the private sector. That's a far higher percentage than the new jobs of the '80s.

The combination of declining deficits -- which will amount to three years in a row if this budget is adopted -- we'll have three years of declining deficits in a row for the first time since Harry Truman was the President of the United States. And it has produced steady growth and low inflation, leading many of our most respected economists, from the Fed Chairman, Alan Greenspan, to Alan Sinai, to say that our economy and its fundamentals has the best prospects it's had in two to three decades. Inflation is projected to be lower this year than last year. We've come a long way.

But there's a long way to go. There's still too many people out of work; too many people working for low wages; too many people who know that they can work harder and harder and harder and they still won't have the opportunity of doing better. And there are too many people who are left out altogether, living in environments that are, at worst, downright dangerous.

Our country is more than an economy; it is a community of shared values -- values which have to be strengthened. This year, we are working on things that will both strengthen the economy and strengthen our community. We're working on a welfare system which will continue to reward work and family and encourage people and, in some cases, require people to move from welfare to work through welfare reform.

We are working on lobbying and campaign forms which, if the Congress will pass them, and I believe they will, will help us to change the culture of Washington in a very positive way. The National Service program this year will have 20,000 young people earning money for their college educations by solving the problems of this country in a grass roots fashion in their communities or in others all across America. And the year after next we'll have 100,000 young people doing that.

The Vice President's reinventing government program has been a dramatic example of giving us a government that will work better for less by slashing paperwork and regulations; and, again, if this budget is adopted -- thanks to the work already done by the Congress -- will lead us, in a five-year period, to a reduction of the federal government by 252,000 workers; in a six-year period, by 272,000 period; so that in the end of five years, we will have the smallest federal government since the 1960s -- the early '60s. I'll tell you what we're going to do with the money in a minute.

But we are moving in the right direction. The health care reform debate is a big part of that. I know there's a lot of good in our health care system -- we don't want to mess with it, we want to fix what's wrong. But nobody who has seriously analyzed it can doubt that we have the worst and the most inefficient system of financing health care of any of the advanced countries. No other country spends more than 10 percent of its economy on health care -- we spend 14.5 percent of our income. Part of that's because we're more violent; part of it's because we have high rates of AIDS; part of it's for good reasons -- we spend more on medical research and technology, and we wish to continue to do that. No one would give up that premium. It's an important part of our world leadership and our global economy. Indeed, we need to find ways to do more in some of these areas -- in biotechnology, for example.

But a part of it stems from the fact that we have a system which is plainly inefficient; and which, in paperwork burdens alone, may cost as much as a dime on the dollar more than any other system in the world. We are also the only advanced country in the world that has not figured out how to provide health care to all its citizens. Everybody else has figured out how to do it. The result of that is that almost all of you work for companies that pay too much for your health care; because when people who don't have health insurance get real sick, they tend to get health care when it's too late, too expensive, at the emergency room; and they pass the cost on to the rest of you in higher premiums. If you live in rural areas

where the costs can't be passed along, the cost is passed along in another way -- in lower quality of health care when the hospital closes or the clinic close or the last doctor moves away.

Eighty one million Americans live in families with someone with a preexisting condition, who's been sick before; so that they pay too much for insurance, can't get it, or can never change jobs. This is an important part of rebuilding a faith in the middle class. It's no accident that the First Lady and I have received a million letters that people -- telling us their personal stories. They aren't pikers, they're people who have paid their dues, who work hard, who want to make something of themselves in this country. And because of the way we finance health care, they haven't been able to do it.

The education initiatives of our administration are important in this regard. The Goals 2000 bill I just signed for the first time in American history sets national standards of world class excellence in education and encourages schools to use grass roots reforms to achieve them. The student loan reforms will open college education to more young people than ever before.

And finally this year we're going to try to change the unemployment system into a reemployment system. All of you as employers pay unemployment taxes into a system that is fundamentally broken. The average person when laid off was called back after a period to his or her old job when the unemployment system was created. And the unemployment system was just sort of a fair way for the employer to contribute to the maintenance of that person at a lower wage level while on unemployment. But today most people don't get called back to their old jobs. Instead they have to find new ones. And we should no longer ask people to pay for a system that leaves people idle for a period of months after which they're out of work with no training, no skill and not a good prospect for the future. So we believe from the day a person is unemployed, he or she should be involved in a retraining and a new job placement program immediately. It will cut the period of unemployment; it will increase the national income; and it will certainly honor the values of the American middle class if we change this system.

For all of this, there is still a lot of things -- maybe the most important things about America -- that government can't do. Nothing has reminded me more of that than the headlines in today's Washington Post. I'm sure you saw the story. Two 10-year-old boys were taken into custody yesterday in an elementary school not far from here just across the line in Maryland. They were charged with planning to sell crack cocaine found in one of their school bags. Even in this jaded age, most everybody, including the school officials at the school, were shocked.

We can do a lot of things to put this country back where it belongs. We can and must pass the crime bill to deal with a lot of these problems. It's a good crime bill -- 100,000 more police officers; a ban on 28 kinds of assault weapons; the most innovative prevention programs we have ever supported at the national level to try to keep young kids out of trouble and give them something to say yes to as well as things to say no to; tougher punishment in what I think are sensible ways. And how are we going to pay for it -- \$22 billion over five years? With a \$250,000 reduction in the federal work force, not with a tax increase.

But even if you do that, we cannot live the lives of children for them. So every one of us -- every parent, every teacher, every person has to somehow find a way to reach these kids before it's too late. Somehow the young people who make it know that they're important; they understand that their lives matter; they understand that there can be a future; they think about the future in terms of what happens five or 10 years or 20 years from now instead of what happens five or 10 minutes from now. They understand that they have to fight to find ways other than violence to solve their problems or deal with their frustrations. They have to come to understand that children having children is just wrong, and can't lead to anything good for them; that drugs will ruin their lives. We've got a lot of kids now who are beginning to creep back into drug use just because they think it's hopeless out there. We have to change that, and we have to help them change that. And a government program, alone, cannot do it. We have to do it with the kinds of things you do with these special reportings in your newspaper, and galvanizing and organizing people all over this country, community by community.

Finally, let me just say this. A couple of nights ago, we marked the end of the year honoring the 250th birthday of Thomas Jefferson. For you as journalists, of course, his commitment to freedom of expression was his greatest gift to us. I don't know how many journalists I've had quote Jefferson's famous line that if he had to choose a government without newspapers, or newspapers without a government, he would unhesitatingly choose the latter. My response is always, he said that before he became President. (Laughter.)

But there's a line, or a lesson, that we often overlook. Jefferson was also a slaveholder, even though he wrote three or four times in various places attempts to limit slavery, or do away with it. If you go to the Jefferson Memorial, you find that wonderful quote when he says, "I tremble for my country when I reflect that God is just and his justice cannot sleep forever." He knew it was wrong, but he couldn't change it.

But Jefferson's great legacy, in some ways, was the advocacy of relentless change. He said that we'd have to change our whole way of doing things once every generation or so. He said the Earth belongs to the living. In other words, the great power of the idea that change and progress is possible if rooted in fixed principles is really the idea we need to bring to American life today.

We all share the responsibility in achieving that kind of change and progress. I think we have got to get together. We've got to go on with the work before us. We cannot afford to be diverted or divided in this town. We cannot afford to ignore the urgent tasks at hand. And we cannot afford to ignore the possibility that we can really make a difference; that we can ensure for the next generation of children the values and the life that were given to us by the generation which preceded us. And that, I submit to you, is the job of the President and the job of the American people in 1994.

Thank you very much. (Applause.)

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Q The President has agreed to take questions, but I want you to remember the ground rules for ASNE. You must be a member of this organization. And you must identify yourself and the newspaper with which you represent or the company. We have three mikes on the floor, and I will start over to my right.

Q Mr. President -- could it be that our abused children and youth delinquency and crime is merely a symptom? And if it is a symptom of an epidemic of adult delinquency and abuse, when can we really get to the problem of addressing the disease instead of the symptom?

THE PRESIDENT: Well, I think -- in some ways I think it is a symptom. I think it is the outgrowth -- if you think about what makes all societies work -- basically what makes societies work, what makes them function, what guarantees a healthy environment -- it is basically a devotion to the family unit; a devotion to the idea that everybody ought to have some useful work to perform; and an understanding that while the rights of individuals are important, the interest of the community at large are important, too; and that all of us find most personal fulfillment when we live in a community that itself is succeeding. So we have obligations to a larger community.

If you go to the places that are in the worst trouble in America today, all three of those things are in deep distress -- not very much sense of community, not very much work, and families in ruins.

And what I'm trying to do, sir, is to try to create an environment in which we support family, work and community, both with incentives for people to do the right thing, like giving a tax break to working people so they won't feel that they'd be better off on welfare -- they're hovering at the poverty line; to dealing with the kinds of things that Secretary Cisneros dealt with when he spent the night in the Robert Taylor Homes Project of Chicago the other night -- trying to find ways for the people who live in public housing to be secure, to build their own communities, take control of their own destiny and to be safe from that.

But I agree with you, I think a lot of these problems we identify are the consequences of the fundamental stress on those three things -- work, family and community.

Q Mr. President -- we know if truth be told that presidents tend to think of the press as an interest group on bad days -- self-absorbed and self-interested. But from this side of the velvet rope, we like to think of ourselves as guardians of the public interest and watchdogs, and it's in that spirit that I ask this question.

I'd like to know what more can be done, from your point of view, to open up the government to the people? And specifically, what can be done with the new technologies of FOIA, Freedom of Information Act, which is now -- government records are now electronic, and we need access to those records in order to do our jobs to tell the people how you are conducting your affairs.

And furthermore, we know problems in the world will not go away. Our soldiers will be involved and our press must go with

them. We've seen some deterioration in Pentagon policies over access. In keeping with the needs of military security, what can you do to further democracy and to put yourself behind the idea of an open government that is responsive to press needs?

THE PRESIDENT: Well, first of all, I think I mentioned one example in my opening remarks. And that is, I think that the Energy Department is doing quite a good job in dealing with the whole radiation issue. We also have under the review all the sort of, the secrecy rules of government; and we expect to change them and make available a lot more records than have been available in the past.

You made a specific comment about technology, and whether technology can be used to facilitate this. And we do have a couple people at the White House -- and unfortunately, I'm not one of them -- who know a whole lot about this. And we've tried to use things like E-mail more, and things like that. But I have -- that's one of the things that I've asked our people to study, is how we can use this so-called information superhighway to hook the news media of the country into the government more for things that are plainly available anyway, and whether that could be facilitated. Just the technological transfers, I think, would make a big difference.

On the fourth question, I can't give you a satisfactory answer because I haven't made up my own mind yet, and I don't think I know enough to make a decision; and that is, the relationship of the press to our military operations in time of combat. I'm not rebuffing you, I'm just telling you I have not thought it through, and I don't know what my options are.

But on the other three things, I think we're in accord, and I will try to do a little more work on the whole issue of technology transfer and interconnection. And I think we are moving forward to open more records.

Q Mr. President -- two years ago this week while you were in Peoria, walking the picket lines at Caterpillar, Inc., you called upon President Bush to bring the conflicting parties to the White House, to the Oval Office, to try to resolve the conflict. You said that it was the appropriate thing for the President to do. The conflict remains unresolved and another strike may be imminent. I wonder whether you think presidential intervention is still appropriate, and what form that might take?

THE PRESIDENT: Well, we have worked hard through the Executive Branch to resolve other labor disputes, as you know, including the one involving the airlines recently. So I am not averse to that. But if you'll remember, at the time I said that there was an actual strike in place that was of significant duration for a company -- Caterpillar -- that is very important to this whole country. A lot of you may not know this -- Caterpillar has as much as 80 percent of the Japanese market for some of its products. It's a very, very important company.

And so, I guess what I have to tell you is if the strike occurs and if it is of significant duration, and if there is something that I think we can do about it, I would be glad to look into that. But what I have tried to do on all labor disputes is not to prematurely intervene -- there is no strike at this moment -- not to prematurely intervene, and to take it on a case by case basis

depending on what the national interest is, and whether or not there is a positive role we could play. In the case of the airlines, there was; and one or two other cases -- a railroad issue, and several others -- there have been something we could do. And, if it happens, you can be sure that I will look into very closely.

Q Many columnists and editorial writers graded your administration after your first year in office. Turnabout is fair play; therefore what grades to you give the press for one -- it's performance in covering your administration generally; and, two, it's coverage of Whitewater, in particular. (Laughter.)

THE PRESIDENT: Well, let me first of all say, the grade that they gave me is not as important to me as the grade, sort of objective criteria, that many of the journals here went through -- just how much did we get done last year as compared with previous first-year presidencies. And all the objective analysis concluded that we had the best first year in a generation, in 30 years or more; just in terms of the volume and significance and difficulty of legislative achievements and advances. So I felt quite good about that, and that's how I measured my own.

Secondly, if I could grade the press, I wouldn't. (Laughter.) Especially not now. (Laughter.) But let me just say -- let me make three points very quickly about it -- either in general or on Whitewater. If you have any doubts about it, then that's good because you ought to be having doubts about things like this. But I want to make three points. One is, you can't generalize about the press today. You probably never could generalize about the press. But, believe me, it is far harder to generalize about it than ever before. There is no way you can do that.

Secondly, I think it is -- the press, at least in this town, is very different from most of the press outside this town in terms of what -- how they work and what's important and all of that. But they are under more competitive and other pressures today than ever before. I said last night at the Radio and TV Correspondents Dinner that the Founding Fathers had two points of untrammelled freedom in our set-up. One was given to the Supreme Court and the lower federal courts -- that is, they had lifetime jobs. And they got that because somebody had to make a final decision. They have limited power, but ultimate freedom. So they have to be careful not to abuse their freedom. The other was the press, because nobody could think of any practical way to limit the press. And, in fact, the limits have become less, not more, with the weakening of the libel laws over time.

And I just think that always, any kind of unrestricted freedom imposes great responsibility on people. And what happens here is, when you've got -- for example, you've got all these different new outlets; you've got all these channels; you've got all this time to fill; you have all this competition now from the tabloids; you have the highly-motivated political outlets posing as news media, but not really, trying to affect what the news media do. It is more difficult to be responsible now than ever before. It is a bigger challenge than ever before.

The third thing I would say is, while I am in no position to comment on this, you ought to read what Garrison Keillor said last night at the Radio and Television Correspondents Dinner.

It was a stunning speech. I have never heard anyone speak that way to a group of media people. He obviously was from the heart and he said some very thoughtful things. And I -- if you really care about the issue, I would urge you to read what he said. I could not add anything to what he said last night.

Q That's an A-plus answer. (Laughter.)

THE PRESIDENT: Thanks.

Q Mr. President, the people in my readership area seem to believe that health care is in need of reform, but nobody can seem to agree on just how to reform it. I'd like to -- a veteran wrote in to us, and I'd like to ask this question on behalf of that veteran. He said if you ever want to see an example of why government should not run the health care system, look at the way the Veterans Administration runs its hospitals. Could you respond to that veteran?

THE PRESIDENT: That's why we don't recommend a government run the health care system. But there are -- I have two responses to that. First of all, our plan does not provide for government-run health care. In fact, that's very rare in the world. The British system is the only one where the government actually delivers the health care, just about. There are some other systems, like the Canadian system, where the government finances it all. We have government-financed health care through the Medicare program. Most people think it's pretty good who are on it. But it's all -- you know, if you are on Medicare, you get to choose your own doctor; it's all private care -- all private.

The veterans hospital system worked quite well, sir, for a while, but it doesn't work now because the government can't run it without its being able to compete. I mean, what basically what happened is, there are fewer and fewer veterans who choose to use the veterans hospital network. They have other options for pay -- they're eligible for Medicare; they have private insurance or whatever. The veterans hospital can't take that kind of pay, so it becomes more underfunded while the population it's treating goes down; and those difficulties feed on itself.

I think we've got a -- basically, we have proposed to give the veterans hospital network the chance to compete and do well, but when those Veterans Hospitals are in trouble, that's why they're in trouble. What I propose to do instead is to have guaranteed private insurance; and all I want the government to do is to require guaranteed private insurance for the employed uninsured; give organized approval to give discounts to small businesses so they won't go broke providing the insurance; and then organized buyers co-ops, so small business, farmers and self-employed people, can buy insurance on the same terms that big business employees and government employees can. And I don't want the federal government to do that, I just want it set up so that can be done at the state level.

But I certainly don't think we ought to have a government-run health care system. I think the government could create an environment in which everybody can get health insurance; we can bring cost in line with inflation -- the right economic incentives for managed care are there; and the little folks have the

same chance as the big folks to get affordable care. That's all I want to do.

Q Good afternoon, Mr. President. Not long ago, I was watching television with my daughter and you were explaining some of the events that had gone on 15 years ago, or so, in Arkansas. And you said something about you remembered that there were -- you'd lent \$20,000 to your mother and so on. Essentially, new things were coming out and changing. And my daughter turned to me and said, "Dad, you know the problem? He sounds just like me when I'm trying to explain why I don't have my homework." And I'm wondering, sir, other than perhaps suggesting to my daughter that she has a future in politics, what should I tell her?

THE PRESIDENT: Well, let me tell you, let me give you an example. I'll just say one thing. Garrison Keillor said last night, he said, you know, all I know about Whitewater is what I read in the papers, so I don't understand it. (Laughter.) But he said -- he said I -- and let me -- he made two statements; I'm just repeating what he said. He said, I really wasn't going to talk about Whitewater tonight, but I was afraid if I didn't say anything, you'd think I know something about it. (Laughter.) Then he said, I suppose I ought to tell you that I've never been to Arkansas. But, he said, I'm reluctant to tell you that, because then you will attack me for not telling you that 30 days ago. (Laughter.)

All I can tell you, sir, is I have done my best to answer the questions asked of me. Maybe you have total and complete recollection of every question that might be -- not is -- might be asked of you at any moment of things that happened to you 12, 13, 14 years ago. Maybe you could give your tax records up for 17 years and, at the moment, answer any question. Or maybe, instead, you want to go back to the hallmark question -- you think I should have shut the whole federal government down and done nothing but study these things for the last two months.

I would remind you that I was asked early on by the press and the Republicans to have a special counsel look into this on the grounds that then everyone could forget about it, and let the special counsel do his job, and I could go on and be President. I could give all the records up, and then when he had a question in his document search, he could ask me, we could work it out, and the issue could be resolved. So I said, sure, even though the criteria for appointing a special counsel weren't met -- no one had accused me of any wrongdoing; certainly nothing connected with my presidency or my campaign for the presidency -- I said, let's do it so I can go back to work. And that is what I have tried to do.

Since then, the same people who asked for the special counsel so that these issues could be resolved in an appropriate and disciplined way and I could go back to work, have decided they were kidding. And they wanted to continue for us to deal with this. Well, I'm sorry, I'm doing the best I can while I do the job I was hired by the American people to do.

I have been as candid and as forthright as possible. Sam Dash, the Watergate special prosecutor, said this is a very different administration than previous ones. These people have resisted no subpoenas. They have claimed no executive privilege. They have cooperated. They have turned all the documents over. I

have done everything I know to do.

But can I answer every question that anybody might ever ask me about something that happened 10, 15, 17 years ago on the spur of the moment and have total recall of all of that while trying to be President? No, sir, I cannot. But the special counsel has a process for dealing with that which would permit us to focus on the truly relevant questions and deal with it. And I have cooperated very well. I will continue to do that.

I will also do my best to give information to the press. But I would just like to point out that the people who asked for the special counsel asked for it and said, the president ought to do this so we can clear the air and he can go on and be president. Now the suggestion is, the implication of your remark, sir, is that instead of that, I should stop being president and do my homework on this issue.

Q All I was asking is what I should tell my daughter for her response, and I think the response was wonderful. And I thank you very much for it.

THE PRESIDENT: Thank you. (Applause.)

Q We have time for one more question right here.

Q Mr. President, I'm Tom Dearmore (phonetic), retired from the San Francisco Examiner and a native of your home state.

THE PRESIDENT: Mountain Home (phonetic), Arkansas.

Q -- who used to long ago stir up lots of trouble in Arkansas.

THE PRESIDENT: You're still legendary down there, Mr. Dearmore (phonetic). (Laughter.)

Q My father helped run your campaign for Congress 20 years ago --

THE PRESIDENT: He sure did. And I'm grateful to him.

Q -- in northern county. But I'm leaping a long way from the Ozarks having leapt to Washington and San Francisco since then. I'm going to ask a question related to foreign affairs which is also a highly controversial matter domestically. And, as you probably know, the United Nations Commission right now is trying to formulate a 20-year plan for the spending of money the U.N. receives for population control. And as presently written, the plan calls for the use of abortion funds it receives only in cases of rape or incest.

The Associated Press reported last week that our State Department had protested that and wants it liberalized so that it can be used more or less across the board for population control. And I wonder if your administration really favors the unrestricted use by foreign countries of U.S. money that goes abroad for population control, for the unrestricted use for abortion, as in the case of some countries that perform these, of course, far into the third trimester? Do you favor any limitation at all on the use of American

taxpayers' money for abortion --

THE PRESIDENT: Yes, I do. I do, and let me say first of all, I have asked -- I did about two days ago -- I saw a story on this, and I received a couple of letters about it. And I have asked to see the language that we are advocating and the language that it's in the present draft so that I can personally review it.

My position on this, I think, is pretty clear. I think at a minimum that we should not fund abortions when the child is capable of living outside the mother's womb. That's what we permit to be criminalized in America today under Roe against Wade. And, secondly, we should not, in any way, shape or form fund abortions if they are enforced on citizens by the government -- if they're against people's will.

There may be other restrictions I would favor, but I can just tell you that on the front end, I think that those are the two places where I would not support our funding going in. And so I think that we ought to be very careful in how we do this.

On the other hand, I don't necessarily think that we ought to write the Hyde Amendment into international law, because there are a lot of countries who have a very different view of this and whose religious traditions treat it differently.

So I think that there is some room between the original draft and where -- it appears, from the news reports, some folks in the State Department may be going to write a policy that most Americans can support. But I'm glad you brought it up.

I, myself, did not know about this until just a few days ago; and I have asked for a report, and I've asked to see the documents myself so I can get involved in it and at least try to have some influence on what happens. Of course, it's an international conference; we don't know exactly how it will come out in the end, and there will be countries and cultures that have widely clashing views on this.

But, anyway, I've answered you what I think.

Q Thank you.

Q Mr. President, thank you very much. (Applause.) We're looking forward to a more informal gathering with you Friday night.

THE PRESIDENT: I'm looking forward to it, too. Thank you. (Applause.)

END

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Relatives Say Signatures of Patients in Radiation Tests Were Forgeries

By KEITH SCHNEIDER

Special to The New York Times

CINCINNATI, April 11 — Researchers at the University of Cincinnati who exposed patients to intense doses of radiation in a cold-war-era experiment were accused today of forging the signatures of patients on consent forms and other medical documents.

The accusations, which came in a Congressional hearing held here on the experiment, were made by relatives of several cancer patients who were involved in the research, which was financed in part by the Pentagon and conducted during the 1960's and early 1970's.

Although the military was interested in the experiment because it wanted to discover how much radiation a soldier could endure before becoming disoriented, researchers said the main purpose of the test was to develop cancer treatments.

The leader of the experiment, Dr. Eugene L. Saenger, a retired radiologist at the university, also testified today and said that nothing about the conduct of the research or its outcome was unsafe or improper, and that the patients were informed of the purpose of the test. There was no immediate reaction to the accusations of forgery by either Dr. Saenger or by the university's president, Dr. Joseph A. Steger. But during his testimony, Dr. Steger assured the House subcommittee conducting the hearing that he would begin immediately to review patient records.

Families tell of loved ones on downhill spirals toward death in the 60's and 70's.

From 1960 to 1971 Dr. Saenger and his colleagues at the University of Cincinnati exposed 88 cancer patients to the highest levels of whole body radiation, and, some experts say, may have caused the most deaths of all the known Government-sponsored radiation experiments since World War II.

All but one of the 88 patients have been dead for years, and there is disagreement about how many could have died of radiation poisoning rather than cancer. Many were poor and black, patients at Cincinnati General, a public hospital, and had inoperable breast, lung or gastrointestinal tumors.

Three members of the House Judiciary Subcommittee on Administrative Law and Governmental Relations, including the chairman, Representative John Bryant of Texas, questioned witnesses in the one-day hearing at the United States Courthouse here.

In December, the Clinton Administration began an investigation of this and other human radiation experiments backed by the Government

and proposed compensating victims and their relatives. Today, Mr. Bryant said the subcommittee would play an important role in assisting in the investigation and in considering any compensation legislation.

Representative David Mann, an Ohio Democrat on the subcommittee who called for the hearing, said the testimony would help Congress and the Administration answer the two most important questions about the Cincinnati experiment: whether patients were adequately informed about the risks and whether the radiation they received would help treat their cancers.

"If we find that the answer to either of these questions is no," he said, "I believe we have no choice but to conclude that the radiation experiments were simply wrong and that the Government owes a huge apology to the victims, their families, and the nation."

The relatives who made the accusations of forgery said the signatures on documents would indicate that the answers were indeed "no." Many of the families have filed lawsuits against Dr. Saenger, his colleagues and the university.

'He Didn't Know'

"Me and my father were close," said Joseph Larkins, a resident of Winter Haven, Fla., who testified today. Mr. Larkins's father, Willard, was a manufacturing worker with colon cancer who died in June 1971, less than three months after being exposed to the highest dose of radiation

in the experiment, the equivalent of 20,000 chest X-rays.

"He would have told me if he knew what was going on," his son said today. "But he never said anything because he didn't know. And when I finally got his patient records, I saw that the signature on some of the papers wasn't his. He was left-handed and had real neat handwriting. The signatures on those papers didn't look anything like his."

Earlier this month, Dr. Saenger's lawyer, R. Joseph Parker, said in an interview that the families would stop their complaints once they saw the patient records. But today, the relatives said the records confirmed their worst fears.

One of the patients who was exposed to whole-body radiation by Dr. Saenger was Amelia Jackson, a cook at Pogue's Department Store. In 1966, doctors found that the 52-year-old Ms. Jackson had colon cancer. She was irradiated in October of that year and died on March 25, 1967.

Her granddaughter, Gloria Nelson, testified today that Ms. Jackson was strong and still working before she was treated by Dr. Saenger and his colleagues. But after the treatment with 100 rads of whole body radiation, or the equivalent of 7,500 chest X-rays, she bled and vomited for days, and was never again able to care for herself, said her granddaughter.

Ms. Nelson said that although her grandmother was illiterate, she could write her name. And the signature on the consent form for the experiment, Ms. Nelson asserted, was a forgery.

"The spelling of her name is different and the writing is not the same," said Ms. Nelson.

Another relative testifying today was Catherine O. Hager, the daughter of Joseph Mitchell, who had lung cancer and died in July 1965, 74 days after being irradiated. She said her father never knew he was part of an experiment and described the "drastic downhill spiral" Mr. Mitchell endured after the treatment.

"My father was burnt pretty bad after that," she said. "He was bedridden. We had to bathe him. He couldn't eat. He couldn't sit up. Whatever came out of him, whatever spittle, we had to save and send back to the hospital."

Dr. Saenger, 77, who retired from the faculty of the University of Cincinnati but still testifies as an expert witness in radiation cases for the Department of Justice, said all the patients in the study had been well-informed about the purpose and risks of the study.

In testimony today, Dr. Saenger said the patients were well cared for, and that the patients benefited from the whole body radiation. He pointed to the lone survivor of the experiment, a woman who had Ewings sarcoma, a cancer of the bone marrow.

"There were 20 cases in which patients survived longer than one year," said Dr. Saenger. "Except for the one patient with Ewings tumor who remains alive after 25 years, the longest survivor lived 9 years. Two other relatively long survivors lived five years."



Department of Energy
Washington, DC 20585

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Facimile Machine Number
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Verification Number
202/586-4940

DATE: April 6

TO: Phil Caplan

Fax Number 456-6704

Verification Number 456-2572

FROM: Dana Siddens

*This transmittal consists of 1 page(s) excluding this cover sheet.



April 5, 1994

WEEKLY PUBLIC AFFAIRS REPORT TO THE SECRETARY

o MEDIA ACTIVITIES

Message: Openness

- Current human research database: Press release issued on April 4 that discussed current Department-related activity included methods for computer access to this online database. A straightforward Associated press story ran in all major paper across the country.

Message: Technology leadership, Jobs

- Labs future: Roger Lewis interviewed with LA Times reporter Michael Schrage on April 4. Storyline will focus on the new direction of the labs away from "pure" science and toward applied technology transfer. Highlighting the new course is the expectation the Department will sign its 750th CRADA this month.

Message: Technology competitiveness

- Krebs Coffee: Director of Energy Research Martha Krebs met informally April 5th with seven Washington based science reporters to discuss future research needs and applications. We will track the outcome.

o MEDIA FEEDBACK

Message: Worker health and safety

- Brookhaven: The radiation exposure and release on March 31st received heavy regional coverage by papers and TV and a New York Times story by Matt Wald. Media inquiries met with forthright response by people at the lab and the stories were basically straightforward.

Message: Cold War's end, Environmental needs

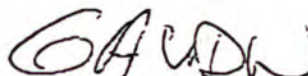
- CNN Atomic Towns: The hour-long special on April 2 dealt with the boom and bust of towns associated with the Manhattan Project. In production for several months, the show included visits to Aiken, South Carolina; Hanford, Washington; and Los Alamos New Mexico. Topics covered relocation of some people as the government appropriated land to build the plants to the environmental clean up taking place. A straight forward piece, it ended fairly optimistically.

Message: Business practices

- ABC on the SSC: The "Your Money Your Choice" segment on April 4 scorched government for asking \$800 million for a cancelled project. Undersecretary Curtis had short sound bite. Reverberates poorly in taxpayer pocketbook.

Message: Openness

- CBS on Atomic Vets: This evening news segment reviewed the continuing plight of the "downwinders" and their continuing call for recognition. Secretary O'Leary has brief interview -- "I like to keep my promises." Successful message on O'Leary efforts to be open.



Michael G. Gaudin
Director of Public and Consumer
Affairs

**Department of Energy**

Washington, DC 20585

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202/586-4940DATE: 8/25/94TO: Phil Caplan - FYI

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Department of Energy
Washington, DC 20585

EJ-DAN
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THIS NOTE.

JEFF = THIS IS A
GOOD RELEASE, JEFF.
READS VERY WELL.
NOTHING TO
ADD. GARDW

Office of the Press Secretary

Mike

Here is the draft release on the current human subjects research database. The database is supposed to be given to the Hill on Monday, April 4.

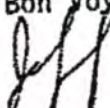
The only press interest so far has been AP and the Albuquerque Tribune.

Unfortunately, the program still won't have any numbers to fill in the blanks in the release until next week, so you don't get the flavor yet that we are including studies with literally hundreds of thousands of people. Large groups of note are DOE contractor workers and Hiroshima and Nagasaki survivors.

The program is not attempting to rewrite the scientific/medical jargon turned in, but is trying to fill in data that is missing and verify the ones they have questions about.

I've included comments from Gary Pitchford, Rick Oborn and some of my coworkers, but any reaction/comments from you would be great.

Bon Voyage!


Jeff



DRAFT

NEWS MEDIA CONTACT:
Jeff Sherwood, 202/586-5806

FOR IMMEDIATE RELEASE
April , 1994

DATABASE ON CURRENT HUMAN SUBJECTS RESEARCH AVAILABLE

The Department of Energy (DOE) now has available an electronic database describing current research involving humans at its national laboratories and other research institutions funded by DOE. The database also includes human subjects research at DOE laboratories funded by other agencies.

The availability of the database fulfills a commitment by Secretary of Energy Hazel R. O'Leary made at congressional hearings in January. While the information on the research is not new, it has now been assembled in a common format and computerized. Information on each project includes: a title, a brief abstract, funding level, name of research institution and name of funding agency.

DOE is one of 18 agencies supporting research involving humans. A departmental and federal-wide regulatory system for the protection of human subjects is in place. The policy ensures that research meets the highest standards of ethical conduct, including informed consent of the participants.

(Attached is a fact sheet describing the database and current human subjects research).

-DOE-

R-94-

CURRENT HUMAN SUBJECTS RESEARCH DATABASE

Human subjects research includes a variety of activities ranging from written questionnaires to actual experiments. Projects involving questionnaires, gathering blood or urine samples, medical exams or gathering epidemiological data are considered human subjects research, primarily because personally identifiable data may be collected.

DOE funds research involving humans for a number of reasons. One of its mandates is to develop new diagnostic and therapeutic applications in the area of nuclear medicine. An example is Brookhaven National Laboratory's use of the PET (Positron Emission Tomography) scan that gives real-time images of how organs, such as the brain, are functioning. Researchers use the technology in their studies to learn more about drug addiction. Another example is a study at the Memorial Sloan Kettering Cancer Center to develop monoclonal antibodies labelled with a radioactive isotope, so-called "magic bullets," for detecting and treating cancer.

DOE also funds epidemiologic studies (many managed by the Centers for Disease Control) as part of its responsibility as an employer to ensure the health of its workforce. By reviewing occupational histories and death certificates, researchers track the health and mortality of current or former contractor workers at DOE's weapons complex. (Data on this epidemiology research have been available on a separate database, the Comprehensive Epidemiology Data Resource).

Because of DOE laboratories' world-class facilities and expertise in biology and medicine, other agencies also fund human subjects research at DOE laboratories. Examples are a Lawrence Berkeley Laboratory study of the effects of exercise and diet on cholesterol levels and a Los Alamos National Laboratory study of improved methods to store red blood cells for later transfusion.

Some statistics about the studies included in the human subjects database:

- o ___ projects are funded by DOE, ___ at DOE labs and ___ at other institutions. An additional ___ projects at DOE laboratories are funded by other agencies, for example the National Institutes of Health.
- o DOE funds approximately \$___ million in projects; other agencies fund an estimated \$___ million in projects.
- o The studies involve a total of about ___, ___ individuals. Of these, ___, ___ are tracked in ___ epidemiology studies mentioned above. In ___ other studies, an additional ___, ___ individuals' participation is limited to providing specimen samples. Research in ___ other projects involves gathering written information from ___, ___ individuals.
- o ___ projects with ___, ___ volunteers involve diagnostic studies using radiation in trace amounts. (The amounts of radiation are similar to those used in the more than 12 million nuclear medicine tests given every year in hospitals.) ___ other projects with ___, ___ volunteers involve studies to develop new radiation therapies.
- o The studies range in size from 1 volunteer up to 320,000, the latter a Lawrence Berkeley Laboratory questionnaire study on runners who smoke.

-2-

Additional information on individual studies is available from the participating laboratory or academic research institution.

The database is available on Internet under the name _____. Either the Mosaic or Gopher database software package is required. For those without these packages, the database is available through any Internet computer having the databases or by connecting to Internet through a Johns Hopkins University computer at (____) _____. The department's Office of Health and Environmental Research at (301) 903-_____ can answer questions about using the database. Printouts of the database (more than 00 pages) will be available in the department's operation offices' public reading rooms by the end of the week.

-DOE-

FAX to WH

REU a1755 rw reute USA-RADIATION

04-04 7:54p

BC-USA-RADIATION

ENERGY DEPT CONDUCTING TESTS ON HUMANS

By Vicki Allen

WASHINGTON (Reuter) - The Energy Department said Monday it is conducting studies on humans, some of which involve exposure to radiation.

The department said the tests were approved by an institutional review board that requires subjects to give informed consent to participate.

It said it would be conducting 175 studies, involving 725,000 people in the United States -- 41 of those projects would include more than 5,000 people who would be exposed to radiation.

The department, which is involved in nuclear medical research, also said the projects involving radiation used radioactive materials as tracers or "for diagnostic or therapeutic reasons."

Senator John Glenn, an Ohio Democrat, sought information on the studies after Energy Secretary Hazel O'Leary said the department continued to conduct radiation tests using human subjects.

O'Leary made the remark in a Senate hearing on radiation tests the government conducted from the 1940's through the 1970s.

She has said victims of those experiments deserve compensation.

The department said it is making a database on current research involving humans available to the public.

In research involving 725,000 subjects, the department said 360,000 people were being tracked in two studies of current and former workers at the Energy Department's weapons complex, and another 321,000 were in a questionnaire study on runners and their health.

Another study will involve 138,000 survivors of the atomic bombs detonated at Hiroshima and Nagasaki, the department said.

In the radiation tests, the department said 31 projects that use 3,208 subjects involve radiation in tracer amounts similar to hospital medical tests.

Another seven projects involving 1,288 subjects were follow-up health studies using routine diagnostic X-rays, and three projects using 560 people involved use of radiation for new cancer treatments.

In a statement, Glenn said he hoped the department's information "will show that all tests being conducted are done with the full consent of the subjects."

He was also worried the government may not have tough enough standards to ensure the safety of tests.

"I would think that with something as dangerous as radiation, regular checks would be made to ensure the safety of the human subjects," Glenn said.

REUTER

Reut20:55 04-04-94

[Energy]

**Department of Energy**

Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1Facimile Machine Number
202/586-9987Verification Number
202/586-4940DATE: 4-4-94TO: Ginny Terzano / Phil Goplan

Fax Number _____

Verification Number _____

FROM: Phyllis Anderson

Human subjects database press
release attached.

*This transmittal consists of 3 page(s) excluding this
cover sheet.



DOE

NEWS MEDIA CONTACT:

Jeff Sherwood, 202/586-5806

NEWS

FOR IMMEDIATE RELEASE

April 4, 1994

DATABASE AVAILABLE ON CURRENT RESEARCH INVOLVING HUMAN SUBJECTS

The Department of Energy (DOE) has established an electronic database that allows easy access to information on current research involving human subjects funded by DOE at its national laboratories or at academic research institutions. The database also includes research involving human subjects funded by other agencies and conducted at DOE laboratories.

An example of the benefits to the public of DOE's research over the years has been the development of the entire field of nuclear medicine, which provides valuable diagnostic and therapeutic capabilities to treat diseases such as cancer. DOE is one of 17 federal agencies supporting research involving humans. Both departmental and federal-wide regulatory systems for the protection of human subjects are in place. The systems ensure that research meets or exceeds the highest standards of ethical conduct, including informed consent of the participants.

Public release of the database fulfills a commitment by Secretary of Energy Hazel R. O'Leary made to Senator John Glenn and other members of Congress at hearings in January. Although information on the research has been available from the laboratories and results of the research published in the scientific literature, the information has now been assembled in a standard format and provided via Internet, a widely available computer network. Information on each project includes: a title, a brief abstract, funding level, the name of research institution and the name of the funding agency.

R-94-057

-DOE-

(Attached is a fact sheet describing current human subjects research, the database and how to access the database.)

DATABASE ON CURRENT RESEARCH INVOLVING HUMAN SUBJECTS

Research involving human subjects includes activities ranging from written questionnaires to actual experiments. Projects involving questionnaires, analysis of blood or urine samples, diagnostic medical exams or gathering epidemiological data are considered to be research involving human subjects, primarily because personally identifiable data may be collected.

DOE funds research involving humans for a number of reasons. One of its legislative mandates is to develop new diagnostic and therapeutic applications in the area of nuclear medicine. An example is Brookhaven National Laboratory's development of new radiopharmaceuticals for detecting tumors. Another example is a study at the Memorial Sloan-Kettering Cancer Center to develop monoclonal antibodies labelled with a radioactive isotope, so-called "magic bullets," for detecting and treating cancer.

Other agencies also fund human subjects research at DOE laboratories because of the laboratories' world-class facilities and expertise. Examples are a National Institutes of Health-funded study at the Lawrence Berkeley Laboratory of the effects of exercise and diet on cholesterol levels and a Department of Justice/National Institute of Justice-funded study at the Sandia National Laboratories of a less-than-lethal "sticky foam" restraint system.

In addition, as part of its responsibility as an employer to ensure the health of its workforce, DOE has an agreement with the Department of Health and Human Services' Centers for Disease Control and Prevention to study workers at DOE facilities in the normal course of their jobs. By reviewing occupational histories and death certificates, researchers are able to track the health status and mortality of current or former contractor workers at DOE's weapons complex. (Data on this epidemiology research have been available on a separate database, the Comprehensive Epidemiology Data Resource.)

Some statistics about the 175 studies included in the human subjects database:

- o One hundred six projects receive DOE support, 70 at DOE labs and 36 at other institutions. An additional 69 projects at DOE laboratories are funded by other agencies, such as the National Institutes of Health.
- o DOE funds approximately \$46 million in projects; other agencies fund an estimated \$10 million in projects at DOE labs.
- o The studies involve a total of about 725,000 individuals in the U.S. Of these, 360,000 are tracked in two epidemiologic studies of current and former DOE contractor workers and another 321,000 are in a questionnaire study of runners and their health. One of the studies is a joint U.S.-Japanese long-term follow up study of approximately 138,000 survivors of the atomic bombs detonated at Hiroshima and Nagasaki.
- o A total of 41 projects with 5,056 individuals involve some exposure to radiation, however slight, as part of the research project. Thirty one of these projects, with 3,208 individuals, involve exposure to radiation only in tracer amounts similar to those used in nuclear medical tests given in hospitals. Another seven projects with 1,288 individuals are follow-up health studies that include the use of routine diagnostic x-rays. The three remaining projects with 560 individuals involve the use of radiation in the development of new treatments for cancer.

(MORE)

-2-

In all of the projects involving radiation, the radiation is used as a tracer to facilitate imaging or other studies or for diagnostic or therapeutic reasons. DOE does not support any projects in which the effect of radiation upon humans per se is the object of the study.

Additional information on individual studies is available from the participating laboratory or academic research institution. Printouts of the database (more than 300 pages) will be available in the department's operation offices' public reading rooms by April 7.

HOW TO ACCESS THE DATABASE

The DOE Human Subjects Database is now available to the public from the Johns Hopkins University Welch Laboratory of Applied BioInformatics via the two most popular methods used to retrieve information across the Internet: Gopher and the World Wide Web (WWW). Access by WWW provides a more sophisticated and powerful interface to the database and thus may be preferable to gopher access.

For anyone who already has access to gopher client software, the database may be reached at the Johns Hopkins University Computational Biology gopher server by pointing a gopher client at gopher.gdb.org and selecting:

--> NIH, NSF, DOE, and Other Funding Agencies/

--> DOE - Department of Energy/

--> The DOE Human Subjects Database/

For anyone who already has access to WWW client software the database may be reached at the Johns Hopkins University BioInformatics WWW server. The URL for that server is: <http://www.gdb.org/hopkins.html>

Gopher client software is available for X-Windows, Unix workstations, Vax/VMS, Macintoshes, and intel-based PCs running Windows. The software, and information about installing and using the software may be obtained by anonymous ftp (file transfer protocol) from boombox.micro.umn.edu in the pub/gopher directory.

NCSA Mosaic is an excellent WWW client and is available for X-Windows, Macs, and intel-based PCs running Windows. You can obtain any or all of these by anonymous ftp from ftp.ncsa.uiuc.edu in the [/Web](http://Web) directory (ftp://ftp.ncsa.uiuc.edu/Web).

Lynx is a good WWW client for Unix and Vax/VMS systems for those who don't have access to network-connected systems with graphical user interfaces. Lynx is available by anonymous ftp from ftp2.cc.ukans.edu in the [/pub/lynx](http://pub/lynx) directory (ftp://ftp2.cc.ukans.edu/pub/lynx).

Johns Hopkins University offers a dial-up connection to gopher and WWW client systems. This can be reached by using a modem to dial: (410) 614-2665. Modem settings are as follows: 8 bits, no parity, 1 stop. For a gopher client, login as gopher. For a WWW client (Lynx) login as www.

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4/6/94

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4/59

DOE**NEWS**

NEWS MEDIA CONTACT:
Jeff Sherwood, 202/586-5806

FOR IMMEDIATE RELEASE
April 4, 1994

DATABASE AVAILABLE ON CURRENT RESEARCH INVOLVING HUMAN SUBJECTS

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R-94-057

-DOE-

(Attached is a fact sheet describing current human subjects research, the database and how to access the database.)

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Research involving human subjects includes activities ranging from written questionnaires to actual experiments. Projects involving questionnaires, analysis of blood or urine samples, diagnostic medical exams or gathering epidemiological data are considered to be research involving human subjects, primarily because personally identifiable data may be collected.

DOE funds research involving humans for a number of reasons. One of its legislative mandates is to develop new diagnostic and therapeutic applications in the area of nuclear medicine. An example is Brookhaven National Laboratory's development of new radiopharmaceuticals for detecting tumors. Another example is a study at the Memorial Sloan-Kettering Cancer Center to develop monoclonal antibodies labelled with a radioactive isotope, so-called "magic bullets," for detecting and treating cancer.

Other agencies also fund human subjects research at DOE laboratories because of the laboratories' world-class facilities and expertise. Examples are a National Institutes of Health-funded study at the Lawrence Berkeley Laboratory of the effects of exercise and diet on cholesterol levels and a Department of Justice/National Institute of Justice-funded study at the Sandia National Laboratories of a less-than-lethal "sticky foam" restraint system.

In addition, as part of its responsibility as an employer to ensure the health of its workforce, DOE has an agreement with the Department of Health and Human Services' Centers for Disease Control and Prevention to study workers at DOE facilities in the normal course of their jobs. By reviewing occupational histories and death certificates, researchers are able to track the health status and mortality of current or former contractor workers at DOE's weapons complex. (Data on this epidemiology research have been available on a separate database, the Comprehensive Epidemiology Data Resource.)

Some statistics about the 175 studies included in the human subjects database:

- o One hundred six projects receive DOE support, 70 at DOE labs and 36 at other institutions. An additional 69 projects at DOE laboratories are funded by other agencies, such as the National Institutes of Health.
- o DOE funds approximately \$46 million in projects; other agencies fund an estimated \$10 million in projects at DOE labs.
- o The studies involve a total of about 725,000 individuals in the U.S. Of these, 360,000 are tracked in two epidemiologic studies of current and former DOE contractor workers and another 321,000 are in a questionnaire study of runners and their health. One of the studies is a joint U.S.-Japanese long-term follow up study of approximately 138,000 survivors of the atomic bombs detonated at Hiroshima and Nagasaki.
- o A total of 41 projects with 5,056 individuals involve some exposure to radiation, however slight, as part of the research project. Thirty one of these projects, with 3,208 individuals, involve exposure to radiation only in tracer amounts similar to those used in nuclear medical tests given in hospitals. Another seven projects with 1,288 individuals are follow-up health studies that include the use of routine diagnostic x-rays. The three remaining projects with 560 individuals involve the use of radiation in the development of new treatments for cancer.

(MORE)

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-2-

In all of the projects involving radiation, the radiation is used as a tracer to facilitate imaging or other studies or for diagnostic or therapeutic reasons. DOE does not support any projects in which the effect of radiation upon humans per se is the object of the study.

Additional information on individual studies is available from the participating laboratory or academic research institution. Printouts of the database (more than 300 pages) will be available in the department's operation offices' public reading rooms by April 7.

HOW TO ACCESS THE DATABASE

The DOE Human Subjects Database is now available to the public from the Johns Hopkins University Welch Laboratory of Applied Bioinformatics via the two most popular methods used to retrieve information across the Internet: Gopher and the World Wide Web (WWW). Access by WWW provides a more sophisticated and powerful interface to the database and thus may be preferable to gopher access.

For anyone who already has access to gopher client software, the database may be reached at the Johns Hopkins University Computational Biology gopher server by pointing a gopher client at gopher.gdb.org and selecting:

- > NIH, NSF, DOE, and Other Funding Agencies/
- > DOE - Department of Energy/
- > The DOE Human Subjects Database/

For anyone who already has access to WWW client software the database may be reached at the Johns Hopkins University Bioinformatics WWW server. The URL for that server is: <http://www.gdb.org/hopkins.html>

Gopher client software is available for X-Windows, Unix workstations, Vax/VMS, Macintoshes, and intel-based PCs running Windows. The software, and information about installing and using the software may be obtained by anonymous ftp (file transfer protocol) from boombox.micro.umn.edu in the pub/gopher directory.

NCSA Mosaic is an excellent WWW client and is available for X-Windows, Macs, and intel-based PCs running Windows. You can obtain any or all of these by anonymous ftp from ftp.ncsa.uiuc.edu in the /Web directory (ftp://ftp.ncsa.uiuc.edu/Wed).

Lynx is a good WWW client for Unix and Vax/VMS systems for those who don't have access to network-connected systems with graphical user interfaces. Lynx is available by anonymous ftp from ftp2.cc.ukans.edu in the pub/lynx directory (ftp://ftp2.cc.ukans.edu/pub/lynx).

Johns Hopkins University offers a dial-up connection to gopher and WWW client systems. This can be reached by using a modem to dial: (410) 614-2668. Modem settings are as follows: 8 bits, no parity, 1 stop. For a gopher client, login as gopher. For a WWW client (Lynx) login as www.

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5/1/94

POWER TO THE PEOPLE

Hazel O'Leary rewires the Department of Energy

HAZEL O'LEARY was no one's first choice. Bill Clinton hadn't even heard of the woman until shortly before he announced her nomination as secretary of energy. Yet there appeared to be a dismal sort of logic to her

appointment. A nuclear-utility executive, she seemed a fittingly obscure choice to lead a leaden bureaucracy headed nowhere, its mission in doubt, its most vital days behind it. In a Cabinet in which presidential friendship would be the most valued currency, her relationship with Clinton consisted of a solitary weekend interview before he offered her the job. Her relationship with Al Gore, whose environmental-turf consciousness naturally includes the Department of Energy (DOE), was nonexistent. Female and black, she was a walking advertisement for diversity, which Clinton had made a very public priority. That, combined with the apparently last-minute, second-string quality of her selection, all but howled of tokenism.

O'Leary kept a low profile through most of her first year, rarely rising above the media horizon. But in the course of a single December day, she became an instant hero. At a Dec. 7 press conference, O'Leary officially acknowledged that the department and its predecessor bureaucracies had authorized some 800 radiation experiments on American citizens. Some of the experiments involved minor doses. The most grisly entailed plutonium injections into 18 patients. O'Leary's announcement confirmed the country's worst fears about its nuclear history, casting its Cold War mission in the dark shadows of a Saturday afternoon creature feature: Boris Karloff with security clearance.

Yet people seemed as shocked by O'Leary's act of truth telling as they were



by the story she told. Citizens sent her flowers and thank-you cards. Sen. Joseph Lieberman, D-Conn., suggested she deserved a "Nobel Prize for guts in government." The press, which had left her for dead in the most remote orbit of the administration, suddenly discovered her good looks and charm. ABC News named her Person of the Week.

As Attorney General Janet Reno, yesterday's star, well knows, heroism is a fleeting thing in the capital. But perhaps more than any other Cabinet member, O'Leary has been working to deliver consistent, real returns on Clinton's nebulous promise of change. For more than a year the energy secretary has waged a quiet war to change the culture of her department, where responsibility for the nation's nuclear-weapons facilities never bred a commensurate sense of responsibility toward the nation's inhabitants.

Soon after her arrival, O'Leary dismantled the bulletproof glass that had encased the executive wing of the DOE's seventh

floor and removed the armed guard who stood ready to repel invasions of the secretary's sanctum. Suddenly, the seventh floor was normalized, like Berlin after the wall. Along the hallway leading to her office, she replaced the pictures of nuclear submarines with photos of a windmill farm, a methanol-powered bus and energy-efficient building technologies.

In a sharp departure from the past, O'Leary has applauded department whistle-blowers, one of whom was very visibly promoted, and she has encouraged other employees to blow the whistle, too. "I met with some 30-odd whistle-blowers," O'Leary says. "It really gave me a sense of how repressed the atmosphere is in the department and how great the struggle is. Not only have we got to flip the culture in terms of the expectations about behavior, but we've got to make these people hold it to the maximum extent that we can."

O'Leary renamed the DOE's office of classification the office of declassification

BY FRANCIS WILKINSON

NATIONAL AFFAIRS

and set out to release thousands of pages of secret documents. That won't happen quickly; the total amount of classified data stacks up to about 32 Washington Monuments' worth of paper. O'Leary recently disclosed the number of secret nuclear tests (204) the department conducted throughout the Cold War, however, and has scheduled a major information release for June.

O'Leary brought in some of the DOE's severest critics to run the department, including Dan Reicher, who previously earned his living suing the DOE as an attorney with the Natural Resources Defense Council. "We've been able to do in a few months what we struggled to do for years," says Reicher, the outsider turned in.

When one of her nominees ran into trouble with conservatives, O'Leary personally lobbied senators in her behalf. Tara O'Toole had gained renown as the administration's most politically naive nominee by listing her membership in a reading group originally known as the Marxist-Feminist Group on her official nomination papers. Right-wing senators, who rarely get a chance to paste com-

O'Leary's efforts will be in vain. It's not easy to revolutionize a bureaucracy of 20,000 employees long set in its ways. Moreover, O'Leary is not the first secretary who's promised to change the DOE. But she is the first who has meant it.

VISITING THE SECRETARY'S EXECUTIVE suite, one is prepared for the precedent of a black woman at the helm of one of government's whitest, most macho departments. But O'Leary's appearance is nonetheless striking. In lieu of the gray suits and even grayer demeanors of secretaries past, the 36-year-old O'Leary paces the office in a bright purple dress and heels, projecting the toned, muscular sureness of an athlete. One large, bulbous earring clings to her right lobe, another rests neglected on the conference table. Once seated, she casually lets a shoe drop. She is friendly and relaxed, accompanied by three aides who don't hesitate to interrupt her. The face that commands the nation's nuclear-weapons complex has high cheekbones and tender eyes. In O'Leary's presence, nuclear technocrats and contractors can hardly escape the conclusion that business is no longer usual.

O'Leary has hired longtime DOE critics to help run the department, dressed down contractors and renamed the office of classification the office of declassification.

munist and lesbianism together into a single smear, were thrilled. But O'Leary took up the fight. "I couldn't figure out why she was going to all this trouble for me at a time when she had so many other things on her mind," says O'Toole, who was finally confirmed last fall.

In a step toward breaking the pattern of collusion and cover-up between the DOE and its family of unscrupulous and incompetent private contractors, O'Leary froze all contractor salaries and in particular dressed down Westinghouse for its frightful management of cleanup at the Hanford nuclear reservation, in Washington state. "This is a profound thing to have the DOE say to a CEO, 'Sorry, your guys are just not measuring up—you have to do better than this,'" O'Leary says. Perhaps only at the DOE—or the Department of Defense—would such a statement be profound. In January, the DOE enacted a two-day "stand-down" of cleanup activities to address the fact that the DOE's cleanup costs run more than 30 percent higher than those for private industry. The DOE has set new goals for cost containment, the success of which will be a good gauge of how much O'Leary can truly change the department's sorry business practices.

Of course, it's possible that many of

Yet O'Leary swiftly deflects inevitable questions about race and gender, preferring, above all, to talk about management, often using the faddish vocabulary of Total Quality Management, a kind of 12-step program for business performance of which she is a devotee. She does take a *pro forma* stab at "all these white boys in cuff links" who populated her first senior-staff meeting. But the line is a throwaway, delivered with an uncharacteristic lack of verve. Her chosen staff may be ideologically apart from all that came before, but it's still dominated by white men. In response to the rhetorical question "What am I?" she makes no mention of a history shaped by segregation or sexism, instead settling quickly on the word *profane*. "I have a terrible mouth," she confesses, albeit without remorse. "This is the package, and I've never been anything other than this."

A graduate of Rutgers law school, O'Leary left a senior executive job at Northern States Power, a \$2 billion Minneapolis utility where she believed she had a good chance of becoming CEO, to take over the DOE. She was recommended for the job by Dennis Bakke, a Virginia energy executive who is part of Clinton's Renaissance Weekend crowd, a network of ambitious profes-

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sionals whose ranks include many White House and Cabinet officials. O'Leary had worked with Bakke at the Federal Energy Administration in the early '70s and later served on the board of Bakke's company, AES, which owns and operates electric power plants. Clinton, who was having trouble with the DOE appointment, asked Bakke for suggestions. "I provided him with a list and put Hazel on top," Bakke says.

O'Leary was familiar with the DOE bureaucracy. She had been administrator of the DOE's Economic Regulatory Administration in the Carter years. She had even met her third husband, Jack O'Leary, there. Adventurous and buoyant, Jack O'Leary had worked under Carter energy secretary James Schlesinger before taking the helm of GPU Nuclear, a huge power company struggling to recover from the disaster at one of its reactors at Three Mile Island.

The O'Learys made a dashing couple. "It was a remarkable marriage," says an old friend. "They were middle-aged people who were palpably in love." When Jack was diagnosed with terminal cancer, he informed friends with characteristic bravado that he had flossed his teeth all those years for nothing. He died in 1987.

One of the O'Learys' many networks in the energy field was anchored by the Keystone Center, a Colorado think tank and "dialogue" facilitator devoted to consensus building on such contentious issues as hazardous-waste management. Jack O'Leary was an adviser on Keystone's energy-related projects, and Hazel O'Leary eventually became a vice chair of the center's board. Much of Keystone's work focuses on building trust among warring interests. "We've been able to get parties to the table that are normally at each others' throats," says Keystone founder Robert Craig.

O'Leary has brought the Keystone ethic to the DOE. Her office engineered one early dialogue between nuclear godfather Edward Teller and anti-nuke activists in San Francisco. (Someone shattered decorum by calling Teller a liar, but these dialogues have to start somewhere.)

In an unprecedented two-day meeting last May in the "bubble," the airlocked secure room in the DOE basement, O'Leary invited weapons-lab directors, designers, former Secretary Schlesinger and critics to debate the fate of the country's nuclear-testing program. She even gave temporary security clearance to testing opponent Frank von Hippel, a prominent Princeton scientist who subsequently joined the President's Office of Science and Technology Policy. Von Hippel received not only clearance to participate in the discussions but access to top-secret documents as well. (O'Leary later recommended to the president that the

government stop nuclear testing. Clinton agreed.)

TRUST HAS NOT PREVIOUSLY BEEN AN outstanding feature of the DOE's culture. The department evolved from the ultrasecret Manhattan Project, which gave birth to the bomb. Secrecy was always integral to the atomic workplace, but after physicist Klaus Fuchs was arrested for giving the Soviets secrets from Los Alamos and Joe McCarthy earned his own ignominy, paranoia became its defining trait.

The James Forrestal Building, the DOE's headquarters, is named after Harry Truman's first secretary of defense, a man who was driven from office in the grip of paranoid delusions, accusing Jews, communists and countless others of conspiring against him. Shortly after his dismissal, Forrestal dropped out of a hospital window to his death.

Forrestal's spirit, however, lives on in the haunted house of the nation's nuclear-weapons establishment, which, in its feverish efforts to stave off a monumental disaster, has created thousands of lesser ones. O'Leary estimates that cleaning up the radioactive and toxic legacy of the Cold War will cost \$200 billion to \$300 billion, about the same as the S&L bailout.

The department's history of bad faith has become a serious impediment to accomplishing much of its work. Stephen Schwartz, Washington representative for the Military Production Network, a grass-roots alliance composed of anti-nuke groups and citizens who live near DOE weapons facilities, cites "public-trust problems" as a primary cause of many standoffs over nuclear-waste cleanup and storage.

Reasons for distrust are plentiful. The DOE dumped deadly waste at many of its sites without the slightest regard for local inhabitants—plant, animal or human. Between 1953 and 1963, 239,000 pounds of mercury made its way from the DOE's Y-12 weapons plant at Oak Ridge, Tenn., into a tiny fork of a nearby creek. Children played in the contaminated creek in warm weather. After years of contempt, secrecy and national-security-sponsored lies, people simply have been unwilling to believe the DOE will do any of the things it promises. Debate has lacked an honest broker.

Last December, when O'Leary launched the first declassification binge in her department's history, she was eager to release the information about radiation experiments as well. At a meeting in her office, she listened to a DOE lawyer explain why it was a bad idea. It would only stir up more trouble from hostile groups living next to poisonous DOE weapons plants or downwind from radioactive peril.

"When I made the decision to add to

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the openness initiative the fact that I was willing to release information about human experimentation, I heard all the downsides from the lawyers who've been working some of these cases," recalls O'Leary, reinventing the scene at her conference table. "I had a guy sitting there tell me with great pride how he had beat the down winders. This sucker was proud of it. One of our own. And I was saying: 'Don't you understand? That's not the posture we should be in.' He looked at me like 'This woman is out of her mind.' He represented the old culture."

O'Leary cultivates trust. In one of their several meetings with the secretary, members of the Military Production Network asked to see a classified safety-assessment report on the DOE's Pantex weapons facility, in Texas. "One month later," Schwartz says, "Hazel comes in with a huge notebook, slides it across the table and says, 'There you go.'"

In January, O'Leary reached a compromise with citizen's groups and Texas state officials over plutonium storage at Pantex. "We have built enough trust with each other in almost a year of working together that they were willing to go forward," O'Leary says. The compromise has allowed nuclear-warhead dismantling, which had been jeopardized by local opposition, to continue at Pantex. "I can almost guarantee that it would have come to litigation in any other administration," says O'Leary's deputy chief of staff Dan Reicher, who might have filed the suit himself.

O'Leary has established trust-building as something more than a management fad or a saccharine morale booster. She has made it her department's most central and significant policy. It's the right and honorable thing to do, of course. But after so many years of secrecy and deceit, it's also probably the only route to problem solving the DOE has left.

HAVING MADE A SHOW OF TRUTH, O'Leary now has the weighty burden of maintaining it in the face of a daunting array of problems. In addition to the unprecedented boondoggle of environmental cleanup, she must grapple with the still unsolved mystery of where and how to dispose of civilian and military nuclear waste. She has been forging ahead with plans to prepare a permanent storage site at Yucca Mountain, Nev. But so little is known about long-term radioactive storage — and the project has engendered such massive public doubts — that its fate is wholly uncertain.

Meanwhile, at other sites some temporary storage containers are rusting. Still others are at risk of exploding due to volatile chemistry. Around [Cont. on 108]

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O'LEARY

[Cont. from 36] every corner there seems to lurk a potential disaster, each one carrying a high price in credibility.

O'Leary must also chart a new path for the DOE's vaunted laboratories, which can no longer justify their \$8 billion annual budget. For decades the labs formed the backbone of deterrence, designing increasingly ingenious weaponry to best the Soviets. The labs now compete for survival, struggling to reconfigure themselves as aids to private industry, engaging in cooperative R&D agreements with textile makers, electronics firms and auto makers. But major cutbacks are inevitable.

"No one has taken a big look at those labs or even decided what the criteria is by which you judge the value of these laboratories," O'Leary says. "I have to lead what will be a very painful effort."

On civilian matters, O'Leary must weigh the fate of traditional (and predominantly dirty) energy sources against the needs of long-starved technologies for energy efficiency and renewable resources. O'Leary supported - and Congress granted - a significant increase in funding for energy efficiency and renewables in the last budget, and the administration is asking for a 30 percent increase in 1995. But the DOE, the genius behind a national energy policy otherwise known as Desert Storm, has much catching up to do.

Nuclear power R&D, meanwhile, has been cut but not abandoned, despite O'Leary's understanding that no utility in its right mind currently considers new reactors commercially viable. The DOE is proceeding with R&D, however, as a hedge against the future.

O'Leary has pleasantly surprised many nuclear-power critics who figured her ties to the industry meant trouble. Over all, she's paid scant attention to the industry, focusing instead on the area in which she had the least experience - weapons. Ignorance has been one of her greatest assets.

"I'm the woman who came to town understanding commercial spent fuel, but I hadn't had what we jokingly called Weapons 101," O'Leary says. "If I had understood this business, I would not be approaching these issues in this way. I would have the cloak and the sense of history that went before, and I would have some desire to protect that. I don't have that. I'm just looking at it, I hope, with good common sense. Which just makes me wonder how myopic I am on the side I do know."

O'Leary seems to believe that with common sense and a commitment to quality, she can manage her way out of crisis; that by establishing measurable criteria and goals, she can lead the department out of its dark age. "The one thing we're clear on is that you can't change thought processes," she says. "What you can do is measure behavior, and you can set expecta-

tions. We need to have some basic agreement in the department about what that behavior is. And in my experience, if you don't measure it, it doesn't happen. But this is what the department hasn't had."

The bookcase behind O'Leary's desk is loaded with management books - including pop best sellers like *Seven Habits of Highly Effective People* - from which she draws her metamanagerial inspiration. The DOE, she has earnestly told her managers, has embarked on a "quality journey."

"It might be very simple to say this stuff won't work in government," O'Leary says of quality management. "But it has worked at GE and organizations as large and as far-flung. The challenge here is that everybody knows I'll be gone in four years - it's to make this a part of business operations so it survives any one individual."

If O'Leary manages to lead the DOE halfway to the promised land, it will more likely be her commitment to trust and honesty - not "quality" - that fuels the trip. In an interview three weeks after the radiation press conference, this promise was perhaps most evident. Speaking of the experiments, O'Leary acknowledged that if the government callously and intentionally endangered or destroyed lives, the victims and their families deserved compensation.

O'Leary was not supposed to say that. She hadn't run her comments by the White House, as even the most junior assistant secretary knows to do. She failed to pass the hot potato on to Congress, which would've been acceptable. She did not claim to have "misspoken." Though her comments provoked a "wildfire," as she recalls, she does not regret them.

"When the question [about compensation] was put to me, I processed it for 30 seconds," O'Leary says. "And I thought back to all the times when I had observed people in a leadership position, where if you looked into their eyes, you understood that they knew what the right answer was, but they didn't have the guts to utter the right answer. And I said, 'I'm going for it.' I knew there would be repercussions."

"This is what you're supposed to do when you have this kind of job," says O'Leary, almost apologetic in her defense of candor. On the other hand, her tone may stem from the fact that O'Leary has just told a fib. As she well knows, in positions of power in Washington, where playing ball is more valued than telling the truth, that's not at all how you are supposed to behave.

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perspective

What are the facts behind the recent headlines and congressional hearings on human radiation experiments? A noted radiation health expert spells them out.

Human radiation experiments: Looking beyond the headlines

by Bernard L. Cohen

There has been a great deal of publicity recently about experiments supported by the U.S. Department of Energy and its predecessors, the Atomic Energy Commission (AEC) and the Energy Research and Development Administration, in which human subjects were exposed to radiation. Media stories give the impression that these experiments were done in secret, without informing the subjects, and that these subjects suffered horrible consequences.

As a prelude to understanding the situation, it is useful to review the bases for judgment in deciding on this type of experiment. When it was first recognized that radiation can be harmful, national and international groups promulgated the concept of "maximum permissible dose" (MPD) on the basis that with a comfortable factor of safety (e.g., a factor of 10), there was no evidence of harm at that level. This had always been the principal method of providing safety, applied to everything from chemicals to bridges. In the 1940s, the MPD was 100 mrem per day, and it was assumed that there would be no harmful health impacts at that level.

In the late 1940s, the view arose that repeated low doses may have cumulative effects, so that exposures should be kept as low as practical. After a long and far-

reaching study, the AEC decided that it was practical to reduce the MPD to 5 rem per year for occupational exposure and 500 mrem per year to members of the public, and these standards were formalized. The MPD for large segments of the public was later reduced to 170 mrem per year.

In the 1960s, analyses of data on the Japanese atomic bomb survivors and of groups exposed for medical purposes led to development of numerical risk estimates, and these have assumed a prominent place in making judgments since the mid-1970s. Current cancer risk estimates applicable to the work discussed here are about 4×10^{-4} per rem of whole-body exposure.

Current regulations require that experiments involving radiation exposure to human subjects be approved by a review board at the institution where they are carried out. National guidelines for these review boards require that whole-body doses to subjects be kept below 2 rem except in extraordinary circumstances. As an example of how these regulations are currently implemented, consider positron emission tomography (PET), a very active medical research topic for the past few years. In one major medical center, this involves exposing about 300 subjects per year, normally recruited through newspaper advertisements, with an average dose of about 500 mrem to each. There are about 50 comparable medical centers throughout the United States.

Markey report

With this perspective, we now turn to the experiments that have drawn the recent publicity. The principal source of information on these is a 1986 report of a congressional subcommittee chaired by Rep. Edward Markey (D., Mass.). He asked the DOE to provide information on all research it had sponsored involving

radiation exposure to human subjects, and from the material received, his staff prepared the report.

The Markey report summarizes 31 projects that it finds objectionable. Actually, 20 of these 31 are comfortably within present-day guidelines. Most of the problem here is that the report interprets intake of more than the "maximum permissible body burden" (MPBB) for occupational exposure to be excessive. Actually the definition of MPBB is the amount that, if maintained for a year, will give a dose equal to the MPD. The name is therefore deceiving for a material with a short half-life or a short retention time in the body. For example, 6 of the 20 experiments involved tritium, which is eliminated from the body with a 10-day half-life; the largest dose in these 6 experiments was only 400 mrem. The largest "apparent dose" in the 20 experiments was from radium-224, oral ingestion of 34 times the MPBB. But, considering the 3.6-day half-life and that only 20 percent passes through the intestine walls, this gives a dose of only 700 mrem. Other experiments used such short-half-life radioisotopes as lead-212 (10 hours), iodine-131 (8 days), lanthanum-140 (40 hours), technetium-96 (4 days), and phosphorus-32 (14 days).

While there is not enough information given to make an accurate calculation, I estimate that the total exposure from the 20 experiments combined was about 30 person-rem, enough to cause only a 1 percent chance of a single cancer death.

Of the remaining 11 experiments, two were studies of damage to kidneys from uranium, which is a chemical effect (the radiation from uranium is trivial and of no relevance in the effects studied or observed). One of the other experiments was a strictly military operation with no scientific research involved: flying airplanes through radioactive clouds follow-

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ing bomb tests, giving pilots 10-17 rem. (The largest dose was to the officer who conceived, designed, and directed the operation). We confine our consideration to the remaining eight experiments.

Heavy doses to skin

Three of these eight involved heavy radiation doses to the hands and forearms. In handling radioactive materials, the skin of the fingers was often exposed to high doses from alpha or beta rays, which, of course, were not recorded on radiation badges. It was not uncommon for this to cause a reddening of the skin, akin to sunburn, called erythema. In the 1940s and 1950s, the normal response was to take extra care to reduce exposure for a few days until the redness disappeared. There was no reason to expect long-term consequences.

An Oak Ridge project in 1945 utilized 20 subjects to quantify this problem. Small areas of the skin of 10 subjects were exposed to up to 1180 rem, and among them, erythema appeared in 6 at 635 rem, and in 8 at 813 rem. Another 10 subjects were exposed to 250 rem, which caused mild tanning in 8 of them.

A detailed microscopic study at the University of Chicago in 1947 exposed the nail fold of one finger of 15 subjects to doses up to 600 rem; temporary enlargement or breaking of tiny blood vessels was observed and followed for two weeks.

The third experiment of this general type, at New York University in 1955, was to study the use of electric current to draw radium into the skin for treatment of sub-surface skin diseases. Three subjects received localized doses up to 1000 rem. The irradiated tissue was later removed surgically, so no risk of cancer was involved.

In the first half of this century, heavy doses of X rays were used for treatment of acne in adolescents and of ringworm of the scalp in infants. It was found much later that many of these patients developed skin cancers on their faces. A risk estimate recently developed from these data is given in the BEIR-V Report. Applying this risk estimate to the three experiments described above indicates that they can be expected to cause a total of 80 skin cancer cases in the Oak Ridge experiments and perhaps 1 in the Chicago experiments. This type of skin cancer is easy to treat, however, often involving no more than a two-minute surgical excision in a physician's office. It has less than a 0.3 percent chance of being fatal, and has no correlation with vulnerability to other types of cancer.

The MPD for hands and forearms is now 75 rem, so these experiments would probably not be approved today.

Irradiation of testicles

Two of the eight experiments under discussion involved irradiation of testi-

"Use of volunteer prison inmates in experiments for the benefit of humanity was common up until the time of these experiments, but it is now forbidden."

cles of volunteer prison inmates with 7-600 rem of X rays to study effects of radiation on reproductive functions. These experiments in 1963-1971 involved 67 men in Oregon and 64 men in Washington State; they (and their wives) had agreed in advance to vasectomies, so there was no apparent risk of genetic effects (through no fault of the scientists, three of the prisoners were eventually released without vasectomies). The principal risk, which was explained to the subjects, was for testicular cancer. There has been no evidence of excess testicular cancer among the Japanese atomic-bomb survivors, among arthritis patients irradiated with heavy doses of X rays, or from any other group that has been studied. This would indicate that the cancer risk to the most heavily exposed of the prison inmate subjects was well below 1 percent. A crude estimate indicates that there was no more than a 30 percent probability of a single death resulting from this radiation.

Use of volunteer prison inmates in experiments for the benefit of humanity was common up until the time of these experiments, but it is now forbidden.

High-dose experiments

The remaining 3 experiments of the 31 in the Markey Report were carried out in 1943-1947, when the only guidance was the 100-mrem-per-day maximum permissible occupational exposure, when shoe stores had X-ray fluoroscopes with which customers entertained themselves by watching their bones as they wiggled their toes, and when citizens were encouraged to get free chest X rays (for tuberculosis screening) in mobile units that gave doses in the 1000-mrem range.

One of the three, at University of Chicago in 1943-1944, was to study effects on blood of whole-body X-ray exposure. Subjects were nine cancer therapy patients exposed to 27-500 rem, two arthritis patients exposed to 100 and 300 rem (heavy X-ray doses were used as therapy for arthritis in that era), and three healthy subjects exposed to a total of 21 rem each. At that time, all radiation workers were given periodic blood

studies as a backup to radiation badges, for monitoring exposures in the region of the 100 mrem per day MPD. No blood changes were found from the 21-rem exposures, indicating that blood tests were not effective for the intended purpose. Routine blood studies for radiation workers were discontinued shortly thereafter.

The 21-rem exposures to healthy subjects is 10 times the current guidelines. A modern estimate of the cancer risk of 21 rem is 0.8 percent.

The second of our final three experiments involved injection of five patients at the University of Rochester with polonium, giving doses up to 60 rem whole body equivalent. All subjects were terminal cancer patients, so it was assumed that they would not live long enough to be affected by the radiation. If they had been young and healthy, the expected number of cancers among them from the polonium would have been 0.1. Polonium was used in bombs at that time and the purpose of the experiment was to study the metabolism of polonium in the human body. This information allows the monitoring of polonium intake by workers through analysis of urine and fecal samples.

The last—and perhaps the most publicized—of the 31 projects involved injection of plutonium into 18 subjects in 1945-1947 at the University of Rochester (11), the University of Chicago (3), the University of California (3), and Oak Ridge Medical Research Hospital (1). The purpose, as in the polonium experiment, was to develop information needed to monitor plutonium intake from analyses of urine and feces for the thousands of plutonium workers in the nuclear weapons program. The data obtained from this experiment are still the principal basis for monitoring plutonium intake by these workers.

Doses were up to 22 rem per year whole-body equivalent, with this dose rate committed to continue for the rest of their lives. All subjects had incurable diseases and were not expected to live the 10 years required to be affected by the radiation. It turned out, however, that 7

"... from all the highly publicized experiments combined, it is most probable that not even a single subject was significantly injured in any way by the radiation."

of the 18 survived past 10 years, 5 survived beyond 14 years, and the last one died in 1992 after 45 years. Applying modern risk estimates to the doses received by these subjects gives the expected number of cancers to be 1.0.

Plutonium in the blood stream is transferred almost exclusively to the liver and bone surfaces, however, so the expected effects are liver cancer and bone cancer. Since none of the subjects was affected by these diseases, it is reasonable to conclude that none of the subjects was adversely affected by the plutonium in his/her body. NBC-TV broadcast a one-hour special about the plutonium injection experiments in which it was clearly implied again and again that a wide variety of health problems suffered by the subjects was caused by the plutonium. The principal scientist interviewed for the program emphasized again and again that none of the stated problems could be due to plutonium, but her statements on this were edited out. The impression was given that plutonium in the body meant small nuclear bombs going off continually.

Nutrition studies

In addition to the 31 projects covered in the Markey Report, at least two other experiments not sponsored by the DOE have received recent publicity. Both involved use of iron-59 as a tracer in nutrition studies. Radioactive isotopes of many elements first became available in the mid-1940s, and a series of experiments was undertaken worldwide utilizing them as tracers to study absorption of minerals from foods. A 1945 Massachusetts Institute of Technology experiment used students at Fernald School for retarded children in Waltham, Mass., administering doses of about 170 mrem. A similar experiment on calcium in 1955 gave doses in the 5-10-mrem range. These doses are well below the radiation doses these students receive each year from natural sources, and the probability of any harmful effects from such low doses is negligible.

A 1947 study at Vanderbilt University hospital (in Nashville, Tenn.) involved a

group of about 800 pregnant women in whom iron deficiency was judged to be an important problem. They were fed Fe-59, giving doses to the fetuses probably in the 200-mrem range (this matter is still under investigation). At that time, X rays of pregnant women with doses to the fetus in the 0.5-5-mrem range were commonly made as an aid in delivery. In the early 1960s, it was discovered that these X-rayed children suffered an excess of childhood cancer, and, in recent years, there has been much more caution on radiation to pregnant women. Thus, these experiments would not be approved today.

In a follow-up study of the Vanderbilt experiment in the 1960s, it was found that there were three subsequent childhood cancers among the subjects whereas, according to national statistics, if many groups of that size were not exposed to radiation, the average number of cancers among them would be 0.65, and only 3 percent of such groups would, by chance, experience as many as three childhood cancers.

Very extensive studies of more than a million fetal X-ray subjects and of 1630 heavily exposed Japanese atomic-bomb survivors, however, led to an estimate that the number of additional childhood cancers expected from the Vanderbilt doses would be only 0.04. This indicates that the unexpectedly large number of three cancers among them was not due to the radiation. For example, among the atomic-bomb survivors, there were twice as many women and their exposures were a hundred times higher, but there were only two childhood cancers.

In summary, then, from all the highly publicized experiments combined, it is most probable that not even a single subject was significantly injured in any way by the radiation. This is certainly not the impression conveyed by the media.

Secrecy and informed consent

Media stories have frequently implied that most of these experiments were done in secret to prevent their immoral character from being revealed. In fact, with only a single well-justified excep-

tion, there was no secrecy involved, and all of these experiments were promptly published in the open literature. The single exception was the plutonium injection experiment, which, like all research on plutonium at that time, was classified "Secret." It was declassified and made generally available in the 1960s, and was discussed in the open literature in 1972. Thus, all of the recently publicized information has been published and openly available for at least 20 years.

Recent media stories have also implied that the subjects in these projects were not properly informed about what they were being used for and of the risks involved. Informed consent has always been an honored principle for physicians and for scientists involved in research on human subjects. Written evidence of informed consent was required by the AEC since the time it was formed in 1947, and there have been no claims that it was not obtained in any of the research sponsored by it or its successor agencies.

The question of informed consent was investigated for the plutonium injection experiments in the 1970s, and as might be expected, the only written record was for the single injection as late as 1947. One of the subjects in the earlier injections stated that he was not informed. There was also a claim that the parents of the children at Fernald School were not properly informed; obtaining informed consent there was in the hands of the school administration.

There is room for misunderstandings on this matter. A sick participant would be recruited and informed through his attending physician, who would not normally go into technical details (e.g., giving the name of experimental drugs). Very probably, the word "plutonium" was not used. It might be considered adequate to say that the procedure is experimental and that risks are very low. Discussions held under highly stressful conditions might not be remembered many years later. Every scientist involved in such experiments whom I have contacted states unequivocally that he and his colleagues have always taken the informed consent requirement very seriously.

It is interesting, in this connection, to consider present-day practice on informing subjects. In a 1992 survey of Institutional Review Boards at 14 large medical centers, it was found that only one explains the risk in numerical terms and two explain it in terms of other societal risks. Six of the 14 compare the doses with the MPD for occupational exposure, 4 compare them with the MPD for members of the public, and 4 compare them with natural radiation. They were nearly unanimous in favoring a statement such as: "The risk from this radiation exposure is too small to be measured directly and is considered to be negligible when compared with other every day risks."

Why the recent publicity?

Since all of the information discussed has been available for more than 20 years, what has caused the recent publicity? I believe it is in the cast of characters.

Representative Markey is the most outspoken opponent of nuclear energy in Congress, and his report is emotional and vitriolic. The title is "American Nuclear Guinea Pigs: Three Decades of Radiation Experiments on U.S. Citizens." Some excerpts from the summary:

- "Frequent, systematic use of human subjects as guinea pigs."

- "Hundreds of individuals were exposed to radiation in experiments which provided no medical benefits to the subjects."

- "The government covered up the nature of the experiments and deceived the families of the deceased victims as to what had transpired."

- "Some of the more repugnant and bizarre of these experiments are..." (followed by brief descriptions of 16 of the experiments).

- "Human experiments of this nature must never be repeated."

- "Urge DOE to make every practicable effort to identify... and to compensate these human guinea pigs for damages they have suffered."

Was Markey concerned about experiments on human subjects or was he attacking his favorite prey, the nuclear establishment? If it was the former, why didn't he consider the hundred times as many such experiments supported by the National Institutes of Health?

The Markey Report was published in 1986 and submitted to the DOE, which decided that it had little substance. The 1993 DOE is very much changed, however, with its organization heavily influenced by some well-known antinuclear activists. This group embraced the report and promised quick and strenuous action, obtaining tremendous media coverage.

Media reporters, sensing the public interest, went digging for more stories; they seem capable of getting headlines for anything involving radiation. Scientists involved in the 5-10-mrem exposures in the Fernald School calcium study have been vilified in the media, as was a Cincinnati scientist who gave no radiation, but simply studied patients who had received radiation therapy. In the latter case, "double informed consent" was used, obtaining initial consent from the patient, advising him to think it over and consult his pastor or trusted friends, and returning after 24 hours for final consent.

There was heavy media publicity for one of the Vanderbilt subjects testifying that the tests had killed her child. That child's exposure was only 94 mrem and the cancer type was one not ordinarily associated with radiation.

Who can guess where it will end? ☐

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scars + secrets the atomic trail

ALONG THE NATION'S BOMB-MAKING
CIRCUIT, ILLNESS AND POISONED LAND

MARK THE COLD WAR'S LETHAL LEGACY - BY MICHAEL D'ANTONIC

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On a dark winter day, five elders eat a quiet lunch in the tribal Chapter House in Red Valley, Ariz., a dry corner of the Navajo reservation where most everything is dusted with the windblown earth. The meal is traditional mutton stew. The conversation, shared in the soft sound of Navajo, is filled with grief. These men, who dug uranium that powered America's nuclear arsenal, have watched in anguish as more than 100 of their friends and family—all uranium miners—have been slowly killed by lung disease linked to radiation. And in the past week, lung cancer has claimed two more from their community of less than 3,000 people.

"They knew what they were doing to us," says

former miner Russell Jackson. A quiet man

dressed in drab coveralls and a baseball cap,

Jackson sits on a folding chair and stares at the

floor as he speaks. A translator turns his words

into English. "They didn't tell us uranium was

used for bombs. They didn't tell us it would make

us sick. But they knew. We were expendable."

Officials knew of the radiation hazard in the

mines as early as 1951, but strict regulations

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protecting miners were not set until 1969 after congressional hearings on the issue. "The doctors were told not to tell them of the dangers, and they didn't," says Dr. Louise Abel, who works for the U.S. Public Health Service on the reservation. "An entire generation of men in some villages was decimated for the country's nuclear effort. It's an epic tragedy."

Similar stories have echoed across the country in the communities that composed the front line of the Cold War. Uranium traveled thousands of miles as it was transformed from rock to bomb, and documents from inside the weapons complex indicate that at many stops along this route, radiation was released during accidents, deliberate experiments and routine operations. Though bomb production has ceased, all the major facilities are now toxic-waste sites—among them some of the most contaminated places in the Western World—and estimates for the 40-year task of cleaning up the pollution, which will be lethal for centuries, exceed \$500 billion.

It is impossible to be certain about how the radiation releases will affect the health of the more than 1 million people exposed. But all along the atomic trail, which stretched from coast to coast, communities feel and fear the ravages of radiation-related illness. "Trust in the government and science has been a casualty for these people," says Dr. John W. Gofman, a former government expert in radiation and health who is now an outspoken critic of the bomb makers. "A terrible political betrayal has taken place," he adds. "Increased disease will occur because of it."

As early as 1949, federal officials knew that radiation could be causing cancer in workers and people living near weapons plants. However, because virtually everything to do with atomic weapons manufacturing was classified as secret, much of the debate over radiation and health was kept from the public, which was, instead, reassured about radiation's safety. "We were in a Cold War that was real," says Newall Stannard, an expert in radiation and health who worked on many Atomic Energy Commission projects in the early years. Bellicose leaders of the former Soviet Union promised to "bury" the West, and the Soviets often matched or exceeded the United States in the race to build ever-more-horrifying weapons. The press reported on the competition to build better bombs and rockets as if it were an actual war. And to many people inside and outside of government, nuclear annihilation seemed possible at any moment.

"There was a real sense of urgency," Stannard says. "People believed that things had to be done and done quickly to keep the effort going. And because of the pressure to do things fast," he says, "many of us in the health and safety area weren't listened to."

Data on radiation found in communities near the bomb facilities was not widely disseminated. Health studies were often not followed up on. After two dec-

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ades of radiation releases at the Hanford nuclear weapons facility in Washington, for example, doctors examined 5,500 children who lived nearby, but did not monitor them to see if any radiogenic illnesses developed later.

"They were treated like guinea pigs," says Robert Schaeffer, a spokesman for the Military Production Network, a nonprofit national alliance that represents citizens groups at more than a dozen nuclear sites. "The government made an effort to study these people after they died, but did not protect them adequately from exposure. It looks like a massive experiment."

The contamination that poured from the bomb factories and test sites during four decades dwarfs the radiation exposures in the medical experiments—many subjects were radiated without their knowledge or consent—that have received wide publicity recently. The government's top nuclear weapons official, Secretary of Energy Hazel R. O'Leary, acknowledges that the lethal legacy of the atomic complex "is a much bigger problem." The Cold War warriors did provide defense during the decades of dread. But, adds O'Leary, they also failed to safeguard the public from the more immediate hazards created by the production and testing of atomic weapons.

"They thought they could control it. They didn't recognize the danger," she says. And as more of the hidden history of the arms race is revealed, additional secrets—about radioactive pollution and experiments—may emerge. "There's more to be discovered," she adds. "That's the thing I most fear."

What is known about the sins of the nuclear past is frightening enough. After two decades of pressure, Congress acknowledged in 1990 that workers and innocent bystanders at the start and end of the atomic trail had been harmed, even killed, by radiation-linked diseases. Uranium miners who have certain cancers or lung disease, which can be caused by radon gases in mines, are paid \$100,000 from a special federal program. Similarly, exposed soldiers or people who lived under the billowing mushroom clouds when aboveground nuclear tests were conducted in Nevada in the 1950s receive \$50,000 if they develop certain cancers linked to the fallout. So far,

more than \$117 million has been paid to more than 1,600 of the sick and dying. But thousands of others who lived elsewhere along the atomic trail believe that they were irradiated, too. They also are seeking compensation through the courts.

At least five suits are pending and more may be filed by workers or neighbors at any of a dozen other sites. In each case, the lawsuits have been filed against the companies that ran the facilities. But the real target is the federal government, which, according to its contracts with the corporations, must pay all legal fees and any judgments. Legal fees alone are running in excess of \$20 million a year.

In most cases, people exposed to radiation from the bomb complex generally allege only that they now have an increased risk of cancer.

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Experts seem to agree that whenever significant amounts of radiation are involved, risk is increased. But it is difficult

to prove that an individual's disease was caused by a specific source—uranium miners with lung cancer, for instance, may have used tobacco (which the miners' compensation program takes into account by raising eligibility requirements for heavy smokers). "Unfortunately, cancers don't come with a tag that says, 'I'm from Hanford,'" says Tom Baile, who has helped organize a suit against the operators of the Hanford complex. "But I think we know enough to say when someone's risk has been significantly increased without their permission."

Health studies that can more precisely measure the effects of the radiation exposures have commenced in areas near atomic bomb factories, but the results are years away. Nevertheless, experts such as Gofman are certain that the nuclear enterprise has spread disease across a wide area. Gofman, now a professor emeritus at UC Berkeley, helped discover Uranium-233, founded the biomedical lab at Lawrence Livermore Laboratory in Northern California and was part of the Manhattan Project. But he gradually became one of the nuclear complex's harshest critics because, he says, his warnings were ignored.

"There is no such thing as an absolutely safe dose of radiation," he says. "They took risks, risks they had no right to impose on people without their knowledge."

"The best science takes place in a very open environment," adds Secretary O'Leary. And in the bomb complex, she says, "just the opposite occurred. Secrecy was the watchword of the day." With the Cold War over, O'Leary wants to declassify documents and open the agency to outside scrutiny.

Her openness has raised expectations along the bomb-making circuit, where many see her efforts to tell the truth about medical testing—and the resulting public furor—as a sign that their experiences will become the focus of national concern. "There are far too many people who have died and are sick now for them to just be ignored," says Janet C. Gordon, whose brother died of cancer in 1961, after repeated exposures to fallout near the Nevada test site. "There is a lot of attention being paid to the medical tests that were done, and they were serious. But I don't want people to forget what happened here. Multiply what they did to our family by thousands of families. They knew what they were doing. There's no excuse for it."

THE URANIUM MINERS AT the Chapter House in Red Valley remember spending long days in the excavations breathing cool air that was filled with invisible, odorless radon gases. They recall eating their lunches in deep tunnels that branched in every direction and ended in large caverns where the "working face" was broken with tools and explosives. They drank the water that trickled out of exposed underground springs, and some went home to houses built from the radioactive rocks discarded from the mines.

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"We didn't know what we were mining was for the military or the atomic bombs," says former miner Kelewood Yazzie, who is now almost 70.

"We knew that production counted. That was it."

A prospecting frenzy had erupted in the Southwest in the 1940s and '50s as the government's demand for the raw material for atomic bombs soared. Soon after, studies funded by the federal government discovered radiation levels many times higher than what was considered safe. But decades passed before the government developed rules to protect the miners.

At the Chapter House, the miners say that in the late 1960s, many of their number developed lung cancer, virtually unheard of in Navajo territory until the uranium rush. It took about 10 years for them to surmise what was happening and pursue claims against the government, supporting their case with medical research that showed excess cancer for workers in their industry as early as 1964. But the courts ruled that the government could not be sued because the mines were operated for national security purposes.

Lawyers for the miners, led by former Secretary of the Interior Stewart Udall, subsequently petitioned Congress for compensation. In 1990, the miners and their families were included in the Radiation Exposure Compensation Act, in which Congress admitted that they were endangered and agreed to pay \$100,000 to each miner who could prove he had worked in the mines for an extended period of time and developed lung cancer or other respiratory diseases. The Justice Department, which runs the program, estimates that 18,000 miners, nearly all of them in the Southwest, were exposed to radiation and are potentially eligible for payment. But thousands who labored in the mills where the uranium ore was crushed and refined into what's called "yellow cake" are not covered by the act, though many claim that they, too, were exposed to radiation.

Of the 3,000 Navajos who worked in the uranium mines, more than 400 have died of lung disease, reports Timothy Benally, manager of the Office of Navajo Uranium Workers in Shiprock, N.M., which helps the miners file compensation claims. Benally says that proving a miner's length of service has been a challenge. Documenting illnesses can be difficult because local health clinics still do not have equipment that will detect all types of lung ailments. "A lot of men die before they know their claim is going to be approved," says Benally. So far, only 133 Navajo compensation claims of 301 filed have been granted. (Fourteen hundred non-Native American miners have also been paid.)

In many cases, the children of deceased miners have taken up their claims. On the day the Navajo elders meet in the Chapter House, Helen Johnson, a former case worker for the Office of Navajo Uranium Workers, is out on the windswept reservation visiting her clients. As she drives down the rutted dirt roads of Red Valley, Johnson recalls the slow death her father suffered when he was just her age—31.

"He was always getting sick," she says. "Then a couple of other miners died and my mother got real scared." Johnson's father died in 1970, leaving five children between the ages of 3 months and 7 years. Her mother struggled to keep the family together as a single parent in a poor community. "She hasn't really been the same since my father died," Johnson adds, tears trickling down her cheeks.

The dying has continued. Last month, Helen Johnson attended the funeral of her uncle, 64-year-old Ray Joe Sr.,

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another uranium miner, another victim of lung cancer. The funeral and service took place in the shadow of the mountains where the uranium mines were dug.

THE URANIUM THAT WAS seized from the earth in the Four Corners area of the Southwest was shipped east to be processed into fuel for bombs. At various stages, the rock was turned into uranium hexafluoride gas, enriched and converted into a metal.

Until 1970, most of this work was done at facilities in Kentucky, Ohio and central Tennessee, at two of the Oak Ridge plants.

Once a secret government-owned community, Oak Ridge was built to supply enriched uranium for the Manhattan Project, a job that once consumed one-seventh of the electricity produced in the United States. Oak Ridge, population 30,000 in 1950, was protected by gates and fences until after World War II, when the city was opened to the world. Through the years, officials monitored many radioactive releases and traced contamination. But in a place where almost everyone's livelihood depended on the nuclear enterprise, few challenged the government's assertions that the public and atomic workers were perfectly safe. Yet last November, a state report noted that 1988-'90 cancer rates in Anderson County, where Oak Ridge is located, were "significantly higher" than the rest of the state.

As she navigates Oak Ridge's winding roads to visit her doctor, Janice Stokes points to telltale landmarks that an outsider might miss: an incinerator that burns atomic waste, signs warning that creeks and ponds are poisoned, a ball field that was capped with extra soil to protect players from mercury contamination from an Oak Ridge plant. Stokes notes that some of the deer, frogs and even trees on the site are radioactive. (These problems have been confirmed by state and national officials.) She believes that Oak Ridge has contaminated her, as well.

"I've never worked near uranium, but I've got it in my urine," she says. Stokes, born and raised seven miles from Oak Ridge, suffers from lupus and osteomalacia, a painful degenerative bone disease. "I've gone steadily downhill for the past eight years," says the slightly built, soft-spoken woman of 47. "There's just too much unexplained illness around here."

Stokes' doctor, oncologist William K. Reid, agrees. Reid joined the local hospital staff in 1990, and "right away I was dealing with five kidney cancers," he says. "I wouldn't expect to see more than one in a population this size." Medical literature and consultations with outside specialists led Reid to suspect that radiation and other pollution from Oak Ridge facilities contributed to the illnesses he was treating—high rates of thyroid disease, immune disorders and cancers. (All of the kidney cancer patients were workers who had been exposed to radiation, he recalls.) But Reid says that every effort he made to raise concerns and conduct research in the hospital on Oak Ridge radiation and health was blocked.

"For years they had an unspoken policy that said doctors do not talk about this," he says. "Once I started talking about this, I stopped being the doctor that they had tried so hard to recruit."

Methodist Medical Center spokeswoman Nancy Harrison says Reid was never impeded in his research or discouraged from speaking his mind. And ophthalmologist Francis Reid

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(no relation), who was chief of staff until 1991, says that in his 15 years at Oak Ridge he saw no evidence that physicians were reluctant to discuss radiation and health.

Still, there are some who believe that the medical community may have been conditioned to sidestep the issue. The city's only hospital was originally built and run by the Atomic Energy Commission. At the Department of Energy, the commission's successor, officials confirm that doctors in Oak Ridge were expected to adhere to the code of secrecy that began in Manhattan Project days. "In a system like that," says a senior policy adviser to the secretary of energy, "those who questioned the existing order were purged."

Documents do show that the Atomic Energy Commission was deeply concerned in the 1950s about any claims relating to radiation exposure and illnesses. Such claims were reported to headquarters, and information about the cases was strictly guarded. But today, people such as William Reid who have raised doubts about the record of the Oak Ridge facilities have some evidence to support their fears. A study of more than 8,000 Oak Ridge workers turned up elevated leukemia rates. The report, published in 1991 in the *Journal of the American Medical Assn.*, found a correlation between the cancer and radiation exposure and suggested that the risk associated with long-term, low-level radiation is higher than previously believed. Experts have long known that a sudden large dose of radiation can kill, sometimes quickly. But they have debated the effect of lower doses received steadily over long periods of time.

Late last year, the Tennessee Department of Health confirmed that Oak Ridge had frequently emitted radioactive elements and heavy metals into the environment. For decades, federal monitors had tracked the releases in the air and water off-site and even monitored the level of radiation in garden vegetables and milk collected near Oak Ridge. The state report included descriptions of numerous radiation releases that could, in the final tally, reach more than 1 million curies since the Manhattan Project. (In contrast, the Three Mile Island power plant accident involved about 17 curies and prompted the evacuation of thousands of people.) The Oak Ridge report recounts a long list of incidents in which radiation escaped from a nuclear reactor called the X-10 and from other facilities. But it did not estimate how those living downwind or downstream—more than 46,000 people lived in the study area near the Oak Ridge plants in 1960—may have been affected. A follow-up study is under way.

This research is of great interest to William Reid and his patients, who would welcome any new information. "As children, we went to the Museum of Atomic Energy they had here and they gave us all radioactive dimes. We laughed about it. The safety was just something you didn't question," says Shirley Harkins, 39, who grew up 10 miles from Oak Ridge and suffers from thyroid disease. "We were told that there was no problem, but we can't trust that now."

FARTHER ALONG THE ATOMIC TRAIL, IN FERNALD, OHIO, 18 MILES OUTSIDE Cincinnati, the innocuously named Feed Materials Production Center turned enriched uranium into fuel that was sent to atomic reactors for final conversion to plutonium. With its odd name, some locals thought the plant made feed for livestock. This impression was reinforced, no doubt, by the fact that a local dairy

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was allowed to pasture its herd on some of the plant's property.

While the rolling acres outside the plant may have seemed pristine, in fact the landscape was polluted with more than a million pounds of uranium. Inside, work areas were often contaminated by uranium dust. According to the documents of the company that ran the Fernald plant, officials were aware of the contamination and damage to the workers' health as early as 1952. One memo from that time called for an end to practices that allowed many workers to be exposed to radiation levels higher than the plant's own standards. A second referred to 17 workers who were exposed to uranium and reported that all "showed urinary damage" and was followed a year later by a report that conditions had "gone from bad to worse" because supervisors had focused "chiefly on production requirements." A 1960 report found workers exposed to radiation levels 97,000 times higher than the plant's limit. On the basis of such information, more than 6,000 former employees are suing the operators of the plant for endangering their health.

The workers' claim that radiation exposure frequently exceeded health standards and that they suffer excessive risk of cancer is contested by Kevin Van Wart, the attorney for Fernald's former operator, NLO Inc. The workers want a formal health program, but Van Wart says that it would be unnecessary because it would offer "nothing they don't already get from family doctors."

NLO no longer operates the Fernald plant and it exists only as a shell of a corporation. Its main activity is fighting the lawsuit, with its legal defense funded entirely by the federal government. Nevertheless Van Wart feels a moral commitment to defend the people who once

managed Fernald. "These are real people who live in the Cincinnati area and they are emotionally affected by what has been said about them," he adds. He doubts that the government will agree to a settlement. "I want to go to trial," he says, "because I think we would win on the scientific merits." Van Wart says the plant was safe and that scientists would testify that the radiation to which the workers were exposed was not dangerous.

In 1988, federal officials admitted that Fernald had emitted thousands of tons of radioactive waste into the air, the ground water and a local river as part of routine operations. The revelations came as the government agreed to pay \$78 million to end a lawsuit filed by Fernald's neighbors. Under the terms of the settlement, people who live near the plant will be compensated for the loss of property value and the psychological pain of not knowing what effect the radiation may have on their health. Payments have started at \$16,000 for distress and have topped \$500,000 for loss of property values. As part of the settlement, the Department of Energy is also funding research to estimate the radiation dose received by the approximately 28,000 people who lived within a five-mile circle outside the Fernald fence.

The particles of radioactive material released at Fernald could be dangerous if ingested, which is what Angie Supe fears happened to her husband, Terry, who was raised 2½ miles downwind from the uranium plant. He drank rainwater from a cistern beside the farmhouse. Last October, he died of kidney cancer, the same cancer William Reid is treating in several Oak Ridge patients. Terry Supe was 40.

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On the country lane where her husband grew up, eight cases of cancers have been found in six households. Terry "was healthy, had no risk factors, and they were putting uranium out all the time he was growing up near the plant," says his widow. "Now he's gone and my daughter is so young she's going to forget him pretty soon. If you ask why, you have to consider the plant."

A similar connection is being made by workers and neighbors at Ohio's other major atomic facility, the Portsmouth Gaseous Diffusion Plant near Piketon. Hidden on 3,800 acres of trees and hills, the 10-million-square-foot plant is described by the Government Accounting Office as "among the largest industrial facilities in the world." Beginning in 1954, it had provided enriched uranium for Fernald, which closed in 1989. And thousands of pounds of uranium have been released into air and water around the plant.

Like the residents of the Fernald area, the neighbors of the Portsmouth plant want compensation for contamination, declining property values and the potential health effects of the pollution. More than 300 people have signed on to yet another suit, which attorneys say is still more than a year away from trial. If a settlement similar to the Fernald agreement is reached, it would likely provide medical monitoring and compensation for more than 15,000 people who have lived near the plant.

THE HANFORD ATOMIC WEAPONS PLANT IN WASHINGTON STATE BECAME the world's largest nuclear complex after World War II, with nine reactors that turned the fuel from Ohio into plutonium, which was then refined and set along the atomic trail to be fashioned into bombs. The community surrounding Hanford, known as the Tri-Cities, takes pride in its Cold War role. One of the cities, Richland, was built by the government and embraced its image as an atomic city. People there still bowl at Atomic Lanes and shop at Atomic Foods. The Richland high school teams—the Bombers—still use the mushroom cloud as an insignia and, until recently, the symbol of the atom adorned the granite pillars at the entrance to the Richland cemetery.

But Tom Baillie and his family were less exuberant in their embrace of the region's nuclear identity. They didn't move into a home next door to the Hanford atomic weapons complex in Washington state; the bomb makers came to them. In 1942, as the Manhattan Project began its race to make the first atomic weapons, the U.S. Army Corps of Engineers purchased the land next to the Baillie farm in the town of Mesa, along with acreage up and down the Columbia River—a total of more than 560 square miles.

Tom Baillie was born in 1947, three years before the first reactor began operating, at a time when local health authorities were recording an increase in stillbirths. Baillie was sickly as a child and suffered from respiratory problems. At age 5 he endured a mysterious paralysis and survived only with the help of an iron lung. Much later he discovered he was sterile.

Though the Atomic Energy Commission assured the public that all was right at Hanford in the late '40s and early '50s, roughly 1 million curies of radiation were being released into the environment. Scientists have already determined that the Baillies and their neighbors, who lived directly across the Columbia River from Hanford, probably received the largest dose of radiation that left the site. It came in the air they breathed, the water they used to irrigate their farms, the local food they ate. Throughout its 40-plus years, Hanford technicians tested all of these "pathways," which carried the contamination to the human body, and found radiation in every one. No warnings were ever issued.

"We were like guinea pigs," says Baillie, now 47. He has thick gray hair and bright blue eyes. As he talks, he looks out over hundreds of acres of apple trees and beyond to the Columbia River and then the hulking concrete carcasses of Hanford's now-defunct reactors. "I was given thyroid exams in school. And thousands of kids were put through whole body counters so they could check for radiation. Where are they now that people are sick?"

In the early 1980s, Baillie began to collect stories about deformed animals, stillbirths and cancers, and he began asking questions about Hanford. Activists from as far away as Spokane and Seattle joined the debate, met by intense opposition from Tri-Cities residents who'd drawn their identity from the atom and

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placed their faith in government assurances about the reactors' safety.

But even as the angry confrontations unfolded, the government began declassifying reports that showed the extent to which Hanford had irradiated the region's air, water and land. Accidents, routine dumping and experiments had poured radiation into the environment even as officials claimed that no pollution left the site. The Hanford releases included a 1948 experiment in which as much as 11,000 curies of Iodine 131, known to be especially harmful to children, was intentionally released into the air. Known as the "Green Run," this experiment was intended to simulate plutonium production methods in the former Soviet Union so that instruments used on spy planes to detect the enemy's production levels could be calibrated. The secret Green Run spread radiation as far north as Spokane and south into Oregon.

A study similar to the ones under way at Oak Ridge and Fernald will attempt to tell citizens like Baile precisely how much radiation they received. Preliminary reports suggest that as many as 20,000 children who lived downwind from Hanford were hit by a significant amount of radiation—the equivalent of 30 chest X-rays—in the late 1940s and early 1950s. Another 250,000 people lived in the direct path of the radiation releases. A larger health study involving the actual examination of about 2,000 people who lived near Hanford during radiation releases, is also being conducted. In the meantime, plutonium production has ended. Hanford is now the country's largest environmental restoration project with a budget of about \$2 billion a year and 15,000 workers.

More than 2,000 people have joined a "downwinders" lawsuit that seeks compensation for those exposed to the plant's emissions. They want medical monitoring and compensation for pain and suffering. So far the federal government has paid \$20 million for the lawyers defending the companies that operated Hanford and are named in the suit. It is not expected to go to trial until 1995.

THE NEVADA TEST SITE, 50 MILES NORTHWEST OF LAS VEGAS, WHERE ABOUT 100 bombs were detonated above the ground between 1951 and 1963, was the last stop on uranium's journey to oblivion. Before getting to Nevada, the material that had become plutonium at Hanford was milled at Rocky Flats, near Denver, and placed in a weapon at a facility near Amarillo, Tex. Rocky Flats has been the site of widely publicized radiation pollution and incidents in which workers were exposed to radiation. Local citizens also claim to suffer health effects caused by the bomb factory. In 1981, one researcher, Carl Johnson, reported elevated cancer rates in an area around the plant that includes much of Denver. Johnson, whose work has been challenged by other researchers, suggested that significantly higher cancer rates occurred in the neighborhoods closest to the facility, where about 40,000 people lived during the heaviest releases.

But it is the people who live downwind from the Nevada test site who have become the symbol of all that went wrong in America's rush to build the biggest and best nuclear arsenal. They felt the rumble and saw the blossoming mushroom clouds produced by the tests. They were among the first to say that something might be wrong. And their struggle for recognition and compensation shows just how difficult it may be for other groups to win redress for what was done to them by the bomb complex.

It took more than a decade of litigation and negotiation before the government finally admitted that it was the likely cause of Arlene Davis' breast cancer. Davis, who recently underwent a mastectomy, grew up under the clouds of radioactive fallout that drifted from the Nevada test site across southern Utah. Born in 1955, she and more than 60,000 others living in parts of Utah, Nevada and Arizona were exposed to significant fallout radiation from the bombs that were detonated, as Congress has acknowledged.

"We used to eat dinner on our back lawn to watch the fallout clouds roll in," Davis says. "They told us we were safe. And if we saw the clouds, we'd call the whole neighborhood to watch. I remember my mother taking her finger and drawing on the dust that fell on the cars."

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Government documents confirm that the Atomic Energy Commission was made aware of the fallout hazard in 1946, before the testing began in Nevada. Reports by one of the commission's health experts, Dr. Stafford Warren, warned that even minute bits of fallout material absorbed by a person's body could produce cancer years later. "This is an insidious hazard and an insidious lethal effect hard to guard against," Warren wrote. He advised the commission to discuss the danger openly, but instead, officials conducted an extensive public-relations campaign, showing films to schoolchildren to calm their fears about the bomb blasts and distributing booklets to communities near the test site that described local citizens as participants in atomic science. "Your best action," one booklet advised, "is to not be worried about fallout."

As early as 1961, studies of the downwind population suggested that Warren's predictions were coming true. Though held secret by the Atomic Energy Commission, the report found excess leukemia in the part of southern Utah that had received heavy amounts of fallout from the bomb tests.

Such studies fueled a landmark campaign that year in which a limited group of test-site downwinders, alleging that the government had been negligent in its atomic testing, sought damages for illness related to the fallout. If the case prevailed, it would establish government responsibility for the safety of people living near bomb-complex facilities and open the door for lawsuits all across the country. At trial, attorney Stewart Udall, the former Interior secretary, relied on a convincing expert witness, Dr. Joseph Lyon, a University of Utah epidemiologist who discovered a 300% increase in childhood leukemia in the fallout region. Udall also used testimony from a former Public Health Service officer, who told the court that the Atomic Energy Commission had doctored his reports on fallout to cover up exceptionally high radiation readings in populated areas in southern Utah and obscure the fact that schoolchildren playing at recess were exposed.

The trial court judge ruled in favor of some of Udall's clients, but the decision did not stand. In 1988, an appeals court found the government was immune to downwinders' claims, as it had been to the uranium miners', under laws protecting its actions in the area of national defense. The Supreme Court agreed.

Frustrated and angry, Udall went to Congress, where he had served as a repre-

sentative in the 1950s, to make one last plea. And this time he prevailed. In 1990, the Radiation Exposure Compensation Act became law, providing both an apology and \$200 million for uranium miners and the downwinders. Anyone who lived in the downwind area during the Nevada tests and develops one of several cancers is eligible for the program. More than 800 claims have been paid since 1990.

Arlene Davis submitted her claim under the act two years ago. "Last February [1992] I'm getting in the bathtub and I see this big lump," she says. "On April third I had the operation. My mother told me right away that I should get the papers together and file them because the fallout was probably the cause." She was paid \$50,000, but "of course," she says, "it doesn't make up for what has happened to me, for losing a

breast. You feel it every time you look in the mirror. Money can't make up for that."

THOSE LOOKING FOR A WAY out of the morass of legal and moral issues surrounding America's nuclear legacy may consider the approach used by Udall for the miners and test-site downwinders. In that instance, Congress was persuaded to act because of the moral weight of the historical facts. Energy Secretary O'Leary says that some people in Congress are interested in righting the wrongs done to others along the atomic trail. But aides to Sen. John Glenn (D-Ohio), who chairs the committee that oversees weapons factories, say that no compensation is being considered now though they may be interested in the coming months.

Still, O'Leary has held public meetings in the past few months with groups of downwinders, irradiated workers and whistle-blowers. She has also met privately with families who believe that they have been stricken by illness and death caused by the bomb complex. "Previous secretaries never met these people and I think that was a mistake," O'Leary says in an interview. Some of these meetings have been emotionally wrenching, she says, but she sees them as a necessary part of healing the past.

"President Clinton recognizes this is a serious problem," she adds. "He has spoken to me about it several times."

Nevertheless, one of the most seasoned legal minds in this arena remains skeptical. Stewart Udall began fighting for radiation victims in 1978,

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and he has found what he calls "a galling attitude toward this issue" in every administration since. All along, he says, "the Justice Department has played 'smash-mouth hardball,' trying to deny the claimants everything they could."

"Hazel O'Leary may be sympathetic," he continues. "But the key department is the Justice Department. I have tried to get [Any. Gen.] Janet Reno's attention but have not gotten a response."

O'Leary's spokesman, Michael Gauldin, says the entire Administration supports O'Leary's efforts to right the wrongs of the nuclear past. "Secretary O'Leary and Any. Gen. Reno and budget director Leon Panetta have talked about these issues and they are supportive of her," he says. However, Gauldin says, the compensation program for miners and test-site downwinders is "not a model" for resolving other claims "but something to learn from." The Administration is moving "methodically because we know people don't trust the government," he says, adding that any future attempt to help people injured by the weapons complex "will not be just monetary, but would include something like medical monitoring and something as simple as an apology."

Udall is pleased that a high-level committee has been formed by the White House to investigate the bomb complex, but he wonders "if they'll go into a closet for a year until all the furor subsides."

"There's an old saying in law: 'Justice delayed is justice denied,'" Udall says. "I'm afraid that is something that could easily happen in these cases. In a sense, it already has."

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- ① For 18 years, Navajo uranium miners in Red Valley, Ariz., were not informed by the government about the radiation hazards of their work. More than 100 in a community of less than 3,000 have died of lung diseases linked to their exposure.
- ② Uranium from the Southwest was shipped to sites, including the Oak Ridge National Laboratory in Tennessee, where it was enriched-refined and blended. Radiation releases at Oak Ridge over three decades were 59,000 times higher than that at Three Mile Island, and officials are conducting studies to determine the effects on those who lived in the area.
- ③ In Fernald, Ohio, the uranium was processed into fuel that would be sent to atomic reactors and converted to plutonium. The government has admitted that the plant emitted thousands of tons of radioactive waste, and 6,000 former workers are suing the Fernald plant operators for endangering their health.
- ④ The Portsmouth Gaseous Diffusion Plant near Piketon, Ohio, also supplied enriched uranium to Fernald. It, too, released thousands of pounds of uranium into the air and water, and 300 people are seeking compensation for potential health effects of the pollution, as well as declining property values.
- ⑤ The fuel from Ohio became plutonium at The Hanford Site in Washington state. Though the government repeatedly told residents that there was no danger, recently declassified reports show that the plant released several million curies of radiation. Cleanup cost for the site: \$2 billion per year.
- ⑥ Plutonium from Hanford was milled at Rocky Flats, near Denver, which manufactured the balls of uranium and plutonium used to trigger the bombs' nuclear chain reactions.
- ⑦ Facilities around the country shipped parts to the Pantex plant in Amarillo, Tex., where the final assembly of nuclear weapons took place.
- ⑧ Aboveground nuclear tests at the Nevada test site exposed more than 60,000 people to fallout radiation. Childhood leukemia in the fallout region increased 300%.

Date: 03/17/94 Time: 18:22

Weapons Plant Workers Can't Tell How Much Radiation Exposure

WASHINGTON (AP) There's no way for most of the nation's 600,000 past and present weapons plant workers to know how much radiation exposure they've had, the Energy Department's top safety official said Thursday.

"Not all workers were monitored, and there are concerns about the accuracy of some data," Dr. Tara O'Toole, assistant energy secretary for environment, safety and health, told a House subcommittee.

"At some plants, incorrect instruments were used to measure radiation doses," she said. Other plants sometimes used the right instruments the wrong way, or exposure readings weren't logged correctly.

"The quality of the data as well as the limitations of the science were such that it would be very difficult to come to conclusions regarding individuals," she said.

Congressional investigators said they found the Energy Department kept track of on-the-job illnesses, but only if the sick people returned to work. If they failed to return "there was no mechanism for DOE to record that information," said Jim Wells of the General Accounting Office, the investigative arm of Congress.

"DOE's data are suspect," Wells said.

At the Rocky Flats plant in Colorado, workers who had no radiation exposure got a zero on exposure report cards, and workers who failed to turn in their dosimeter badges also were given a zero. There is no way to tell which zeros indicate no contamination and which ones indicate missing information, he said.

At the Fernald uranium processing plant in Ohio, the contractor applied a correction formula to the readings from dosimeter badges between 1983 and 1985. The correction formula was so large that some of the radiation readings ended up in negative numbers, said Rep. John Dingell, D-Mich.

Dingell, chairman of the Oversight and Investigations Subcommittee, said records were inconsistent from plant to plant.

Fernald allowed concentrations of thorium that were 17 times higher than the allowed concentrations at the Hanford Reservation in Washington State, he said.

At the Rocky Flats plant, the Energy Department learned in 1987 that there was no instrument calibration program that met DOE standards, and "instruments were often not adequately calibrated."

Dingell said a 1984 Fernald document showed that NLO Inc., which ran the plant, pegged the reliability of its radiation dose counters at plus or minus 50 percent. In 1985, NLO assured its union, in writing, that the counters had a reliability "very close to the actual value," according to a copy of the letter released by Dingell.

Worker exposure to radiation at Fernald is the subject of a class action suit scheduled for trial this summer in U.S. District Court in Cincinnati.

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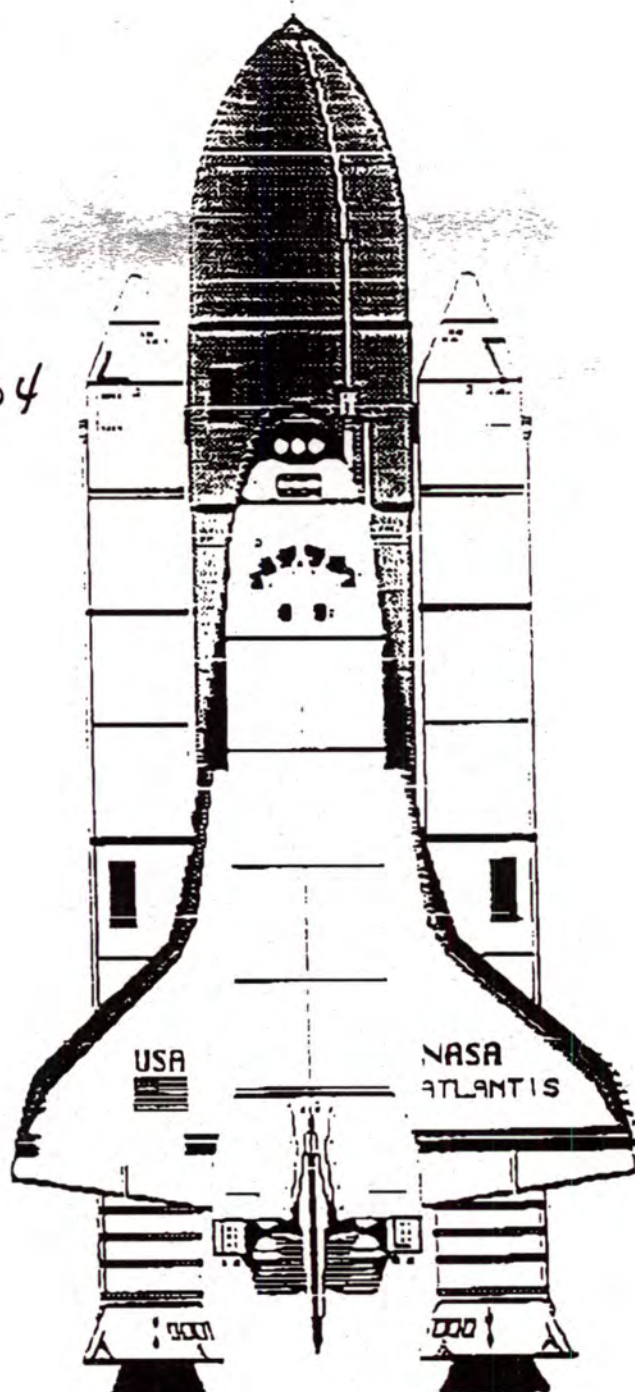
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RTQ: CBS REPORT ON RADIATION EXPERIMENTS

Q. Did NASA participate in radiation experiments which used prisoners as subjects?

A. As of today, January 21, 1994, NASA has not found any evidence that it participated in any radiation experiments with prisoners. NASA is continuing its investigation.

NASA encourages anyone who participated in a radiation experiment to call the national radiation Helpline at 1/800/493-2998.

Q. What role did NASA have in the human radiation experiments at the Oak Ridge facility?

A. NASA transferred funds to the Atomic Energy Commission (AEC) which in turn awarded a contract to Medical Division of Oak Ridge Associated Universities, formerly called Oak Ridge Institute of Nuclear Studies (ORINS) for analysis of data resulting from therapeutic and accidental radiation exposure. NASA supported this data gathering effort from mid-1964 to 1975.

Q. What was the purpose of the research?

A. Because NASA is responsible for the health and safety of astronauts, it was interested in characterizing the health effects of the natural radiation astronauts would be exposed to in space. In the early 1960s, at the recommendation of the Space Science Board of the National Academy of Sciences, NASA began to accumulate data from ongoing radiobiological studies and treatment programs being carried out by other organizations.

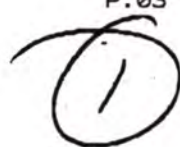
Q. Did NASA have a role in the selection or treatment of any patients and were these patients fully informed?

A. NASA had no role in the selection or treatment of any patient. The responsibility for insuring that patients were fully informed of and consented to any radiation exposure rested solely with the institution providing the treatment. As far as we know at the present time, NASA was only interested in obtaining data that resulted from radiation exposures that were being given in the course of other studies and treatments.

Approved by:

Dr. Harry Holloway 1/21/94

1-4-93

**RTQ: NASA Human Radiation Experiments**

Q. Did NASA use humans as subjects in radiation experiments?

A. On December 30, 1993, NASA was informed by the Department of Energy that NASA may have sponsored or cosponsored human experiments to determine the effects of radiation. Dr. Donald E. Robbins, Deputy Director of Space and Life Sciences at the Johnson Space Center, has been appointed to lead a team in conducting a prompt but detailed search of all NASA records concerning human experiments involving radiation. Any information discovered by this search will be reported to Dr. Harry Holloway, Associate Administrator for the Office of Life and Microgravity Sciences and Applications, who will share this information with the White House task force.

Q. Is this the first time this issue has been discussed?

A. No. On September 23, 1981, Acting Associate Administrator for the Office of Space Science Andrew Stofan testified before the U.S. House of Representatives, Subcommittee on Investigations and Oversight, Committee on Science and Technology. His testimony pertained to NASA's role in the radiological studies carried out by the Atomic Energy Commission (AEC) during the years 1964 to 1974 at the Medical Division of Oak Ridge Associated Universities, formerly called Oak Ridge Institute of Nuclear Studies (ORINS).

Q. What was the purpose of the research?

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Approved by:

Dr. Harry Holloway

**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

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Dec. 30, 1993

RTQ: NASA Funding of Human Radiation Studies

A recent AP story about the exposure of human beings to radiation in secret experiments contains this paragraph:

"The human experiments were supported by the Atomic Energy Commission, NASA and the U.S. Public Health Service between 1951 and about 1975."

If you receive any inquiries related to this matter, our response should be as follows.

NASA will participate in a White House interagency meeting Monday, Jan. 3, on doing research on the issues involved and participate in discussion on how the government should proceed. This effort will be followed by a search of the records.

Court Hears a Senator Argue for Right to Sue on a Base Closing

By LINDA GREENHOUSE

Special to The New York Times

WASHINGTON, March 2 — The last time most members of the Supreme Court attended a formal proceeding in the company of Senator Arlen Specter, he was asking questions as a member of the Senate Judiciary Committee and they were answering as nominees seeking Senate confirmation.

Today the tables were turned, and it was the Justices, looking down from the bench with the comfort of life tenure, who were doing the asking. Mr. Specter, a Pennsylvania Republican, was trying to persuade the Court to let him sue the Navy to stop the planned closing of the Philadelphia Naval Shipyard.

It was the first time in more than 20 years that a member of Congress had argued a case before the Court. The Justices treated Senator Specter as they treat any lawyer; they drilled him with questions, interrupted his answers, challenged his analysis and, finally, cut him off in mid-sentence.

"Thank you, Senator Specter; your time has expired," Chief Justice William H. Rehnquist said blandly when the red light went on, indicating that the Senator's 30 minutes had elapsed.

Senator Stands His Ground

Senator Specter, an experienced courtroom lawyer who argued and won two Supreme Court cases when he was the Philadelphia District Attorney, held his own in the combative, slightly florid style familiar from his performances in the hearing room and on the Senate floor. "Chief Justice Rehnquist, I respectfully disagree with you categorically," he said at one point as the two sparred over the meaning of a 1935 precedent.

Senator Specter has an uphill battle in this case, which asks the Court to

declare that the Government's selection of military bases for closing or downgrading is subject to challenge in Federal court.

After the Federal appeals court in Philadelphia ruled last year that a suit brought by Senator Specter and two dozen other officials could proceed, the Justices accepted the Government's appeal. They appeared receptive today to the argument that a base closing was a political problem for Congress and the White House to work out without the help of the courts.

Independence Is Stressed

In his argument against permitting the courts to review base closing decisions, Solicitor General Drew S. Days 3d stressed the unusual features of the Defense Base Closure and Realignment Act of 1990, under which the Philadelphia base and more than 100 others have been designated as no longer necessary to the nation's defense.

Under the law, an independent commission, after holding hearings and reviewing recommendations from the Secretary of Defense, sends the President a list of bases to be closed. The President has 15 days to approve or disapprove the list in its entirety. If he approves it, the list becomes final unless both houses of Congress pass a joint resolution of disapproval within 45 days.

Solicitor General Days told the Court that the law was created to remove the "partisan and procedural obstacles" that had made it practically impossible to close military bases. He said that by requiring the bases chosen for closing to be treated as a "single indivisible package," Congress meant to avoid the "cherry picking" that had resulted in the past from bases with powerful po-

Doubt Was Cast In 1966 on Test With Radiation

litical sponsorship being plucked off the list.

"You didn't put it this way," Justice David H. Souter told the Solicitor General, "but you seem to be saying that the Base Closing Act is just a pact, a kind of *modus vivendi* between the two political branches."

Yes, Mr. Days replied, "we see this very much as an understanding between the President and Congress." He said that although the law did not refer specifically to the issue of judicial review, "the history, structure and purpose of the act" all indicated that the courts were not supposed to interfere

CINCINNATI, March 2 (AP) — Five years before the University of Cincinnati halted experimental radiation treatments on cancer patients, the head of the medical center at the time questioned the goal of the research.

The hospital director, Dr. Edward Gall, expressed his doubts in a letter written in 1966. It is among 5,000 pages of documents regarding radiation tests released by the university on Tuesday.

"There's nothing to hide, as far as we're concerned," the university's president, Joseph Steger, said at a news conference on Tuesday.

The university treated 88 cancer patients with whole or partial body radiation from 1960 to 1971 in tests that were financed by the Defense Department. More than 50 of the patients were black, and many were indigent, according to progress reports submitted to the Pentagon. The patients ranged in age from 9 to 80.

For Tumors or Warfare?

University officials have said that the experiments were conducted to determine whether radiation could slow tumor growth.

But critics of the experiments have said that the real purpose of the research was to test — without telling patients — how battlefield radiation exposure might affect soldiers.

In his letter, dated May 6, 1966, and addressed to the medical school dean, Dr. Gall questioned the purpose of research proposed for that year by Dr. Eugene Saenger. The proposal was to use stored bone marrow to help patients fight depressed blood counts after receiving radiation treatments.

Dr. Gall wrote that the faculty committee had raised concerns about why radiation was being used, whether radiation treatments could kill patients, and whether patient consent forms were specific enough.

Plan Called Too Risky

Months later, at Dr. Gall's request, Dr. George Shields, then a member of the medical center's research review committee, wrote that Dr. Saenger's proposal should be rejected because it was too risky for patients.

Dr. Shields said 9 of 36 patients treated by 1967 had died. "I believe a 25 percent mortality is too high," he wrote in a memo dated March 13, 1967.

Dr. Shields also argued that the consent forms needed to be changed. He said the forms should explain not only that "a risk exists" but also that "a 1 in

4 chance of death within a few weeks" might result from the treatment.

The proposal was ultimately approved by the full faculty review committee.

Dr. Saenger has defended his work but has declined to be interviewed by Dr. Gall is dead. Dr. Shields could not be reached for comment today.

An undated summary of the radiation treatments said the deaths of at least eight of the patients, or nearly 10 percent, were possibly attributable to radiation. But it also said that the radiation had shortened the hospital stays of some other patients.

All but one of the patients has died, said Stanley Chesley, a lawyer advising the university.

The consent forms became an issue at the university again in 1968, when Dr. Evelyn Hess, then chairwoman of a faculty committee on research, wrote in a memo to committee members that two grant applications to the National Institutes of Health had been rejected because "the acceptability of our general consent form for human volunteers participating in research was questioned."

One of the grant requests was for a study of whole-body radiation on cancer patients, she wrote. She did not identify the other request.

Hunt for Records

The documents show that the Defense Department paid \$651,000 for salaries, supplies and equipment for the tests, while the university paid for the patients' basic care. The patients were treated at General Hospital, then operated by the city.

The university has tracked down the medical records of all 88 patients, Mr. Steger said, adding that the records are confidential and will not be made public. It has been in contact with families of 22 patients and is sending letters to the remaining 66, he said. Three class-action lawsuits have been filed against the university, the latest filed on Tuesday in Federal court in Cincinnati by Donna White Christy. She said she had received a huge radiation dose to treat a tumor in her thigh when she was 10. She survived because she received a bone marrow transplant from her identical sister.

She could not be reached for comment. Her lawyer, Michael Alexander, refused to say where she lives.

of Budget Battle, Byrd Invokes Army of Kings, Poets and Patriots

ADAM CLYMER

Special to The New York Times

WASHINGTON, March 2 — "Once the Senate has justified my in the institution, and the Constitution still lives."

Senator Robert C. Byrd of West Virginia offered that heroic analysis on Tuesday night after the Senate rejected, with three votes to spare, a constitutional amendment to require the Federal budget to be balanced.

No one expects understatement from Mr. Byrd. But neither did anyone doubt that he believed what he was saying. After invoking the Greeks, the Romans, the barons who wrested Magna Carta from King John and finally the framers in Philadelphia, Mr. Byrd had prevailed against an amendment he regarded as a monstrosity.

For months Mr. Byrd had been the point man. "He was publicly visible, rallying opposition at a time when the amendment seemed to have great public support," said Senator George J. Mitchell of Maine, his successor as majority leader.

Mr. Byrd spurred the White House, unions and other groups to action, and they spread sometimes hyperbolic fears of the effects of any amendment. He worked with them, organized hearings, went to news conferences. Senator Edward M. Kennedy of Massachusetts, first a rival and then an ally over 31 years in the Senate, said, "He has been very effective in marshaling the economic arguments, the constitutional arguments and the political arguments."

That might not have been enough to get the 34 votes needed to block the measure. Every year there are more senators here who have promised voters to support a balanced budget amendment. Mr. Byrd's strategy at first was delay, dragging the fight out with a long list of amendments intended to upset the delicate coalition that supported the balanced budget measure. No one knew if that would work.

But he was working with Mr. Mitchell, and Mr. Mitchell was busy, talking to every Democrat, urging each one to oppose the plan and, last week, judging that they were close enough to victory to risk a vote.

Still, Mr. Byrd was out front, the symbol of the opposition.

The Lawmakers

A periodic look at the titans of Capitol Hill

Robert Carlyle Byrd

BORN Nov. 20, 1917, North Wilkesboro, N. C.

HOMETOWN Sophia, W. Va.

EDUCATION Mark Twain School; attended several colleges; J.D., American University.

CAREER HIGHLIGHTS 1947-51, member, West Virginia House of Delegates; 1951-53, member, West Virginia Senate; 1953-59, member, United States House of Representatives; 1959-present, member, United States Senate; 1977-80, 1987-88, Senate majority leader; 1981-86, Senate minority leader.

FAMILY Married to Erma Ora James; two daughters.

HOBBIES Reading.

But he is an odd symbol in Washington these days. A 76-year-old Democrat and the senior Senator from West Virginia, serving since 1959, Mr. Byrd is not only a self-taught historian; he is a piece of living history, a throwback to the days when two-hour speeches full of classical allusions drew crowds to the Capitol. He is uncomfortable with television, unskilled in what he scornfully dismisses as "the 20-second sound bite."

While most modern members of Congress try to juggle the political hazard of being seen as a big spender with the political advantage of getting good stuff for the home folks, Mr. Byrd's commitment to domestic spending is unabashed.

He reminds an interviewer that Henry Clay was committed to public works, which he broadens to include schools, and research and development and other "investments in the country's future." He is proud of the billion or so dollars he has steered to West Virginia since he abandoned the "grubby work" of being Senate majority leader in 1989.

Protector of Senate

He intimidates on the floor. He counts favors carefully. At times he sounds like a one-man committee supervising conduct for this very special club. He voted against the confirmation of Clarence Thomas in part because he felt the judge had insulted the Senate by injecting racism into the hearings. Last fall he urged Senator Bob Packwood of Oregon to resign because, in fighting a subpoena for his diaries, he had "chosen to protect himself at the expense of the Senate."

His opponents on the balanced-budget amendment suggested that he opposed it because it would curb the spending he presides over as chairman of the Appropriations Committee, the spending he defends when it aids West Virginia or other states.

But he contends that the gravest flaw of the amendment was that it would surrender the hard-won power of the purse to what he plainly regards as the lesser branches of Government, the executive and the judicial.

Listen to him explain his opposition to the amendment:

"The basic reason why I think it is a bad idea is that it certainly carries within it the seeds for the destruction of this Government, its structure, as we know it, the constitutional system, checks and balances, and separation of powers."

"The basic power which is probably more fundamental than any other power in the Constitution is the power of the purse," he said in a recent interview.

The most recent proof of this power was a Congressional vote to withdraw American troops from Somalia, as a provision in an appropriations bill. Mr. Byrd said, "When we passed legislation here saying that the President has a deadline of March 31 to get them out of Somalia, after which there will be no more funds, that was the claw in the trap."

"When we say 'this amount of funds and no more,' we are getting to the marrow of the bone."

And why must Congress resist anything that diminishes its control of the purse?

"That power of the purse belongs to the people. And that is where it is vested. It is vested in the branch that represents the people, elected by the people. Judges are not elected by the people. The President is not directly elected by the people. He is elected by electors."

To many other senators who would not yield an inch to Mr. Byrd in their belief in themselves and their own respect for the Constitution, of course, this amendment was an imperative to get the nation's finances in order. Some senators who opposed it before voted for it this week, as their last hope.

But others, Mr. Mitchell said, simply never made the distinction between a vote on an ordinary bill and changing the Constitution itself. And many members who told him that the amendment was a bad idea voted for it anyway because their constituents liked it.

Fear and Pork

But a few senators will hit back at Mr. Byrd. One Republican who harbors no fears, Senator John McCain of Arizona, said, "I see fear and intimidation on the part of some of my colleagues who fear losing their pork."

And as evidence of what he considers Mr. Byrd's basic purpose, he carries around the Congressional Record's account of the passage of a provision for \$20 million for 500 more jobs in West Virginia, at a Federal Bureau of Investigation center that Mr. Byrd got moved there, "without regard to any employment ceiling imposed by the President or by law."

"I'm fed up to here," Mr. McCain said, holding his hand just under his nose.

Mr. Byrd tore a strip off Mr. McCain not long before that, ridiculing his attack on highway demonstration projects by reading the Senate a letter asking for help on that very kind of spending in Arizona.

On another day he thwarted Senator Bob Kerrey, a Nebraska Democrat who was later an ally on the constitutional amendment, by preventing a deep cut in an appropriations bill from coming up for a vote. Mr. Kerrey appealed to Mr. Byrd's "fairness" to waive his parliamentary advantage and allow an up-or-down vote.

Mr. Byrd refused. "I have no compunctions about fairness," he said. "I will go home with a clear conscience tonight. The Senator from Nebraska knows the rules." He concluded by comparing himself to the current heavyweight boxing champion, Riddick Bowe, saying: "There comes a time when a fellow who crawls into the ring with the champ, if it is Mr. Bowe or whoever it is, he has to take his chances with the same gloves Mr.

Bowe uses. And that is where we are now. We are in the ring."

But sometimes hardball backfires. Senators do not like to be humbled.

Many Senators thought Mr. Byrd's tactics worked against him last spring when Republicans, enraged by Mr. Byrd's parliamentary devices, filibustered and killed President Clinton's economic stimulus bill.

Senator Mark O. Hatfield of Oregon, perhaps Mr. Byrd's closest friend in the Senate and the senior Republican on the Appropriations Committee, said his party colleagues' attitude was, "This is one time we can get even for all the past experiences we think we lost on."

Mr. Byrd takes pride, but not joy, in his legendary command of the rules. When he was leader, he read the rules and all the precedents before each session of Congress and knew them as well or better than the parliamentarians who help other senators. But he called that effort "boring," and the need to spend hours negotiating agreements for votes "a grubby piece of work."

So when the chairmanship of the Appropriations Committee became vacant at John Stennis's retirement, he saw an escape route. He is pleased with the change. "I have more time to devote to West Virginia," he said. "I have more time to devote to things that are fulfilling and meaningful to me: reading of history, the reading of great literature, Milton's Paradise Lost, Emerson's Essays, Dante's 'Divine Comedy,' Shakespeare. There is no comparison."

Some younger Democrats were pleased that he left the leadership. They thought he was archaic in an age of television, not a good spokesman for the party. And his image is not necessarily much better these days: he is attacked as the epitome of pork-barrel politics, thwarting popular will so he can spend more.

Norman Ornstein of the American Enterprise Institute, a research organization in Washington, has no patience with that view. A leading Congressional scholar, Mr. Ornstein said that was "about as ridiculous a stereotype as you can imagine."

"Robert Byrd," he said, "sees himself deep down as the defender of our constitutional system, of the Constitutional role of Congress, especially the Senate."

He is not unique in his concern for the institution. Mr. Hatfield, who like Mr. Byrd was a poor boy who rose through politics, shares some of his feeling for the history of the place. So do others, like Mr. Mitchell or Mr. Kennedy. But Mr. Byrd talks about it more, worries about it more.

"Clearly the Senate is not what it once was," Mr. Byrd said. "It isn't the institution, but those of us who make up the institution. We don't have the same inspiration, the same goals, the same motivation. Most important today is the 20-second sound bite, making of the headlines."

He said, "It is not as uplifting as it once was."

NEWS MEDIA CONTACT:
John Donnelly
Arlene Estep 202/586-5806

FOR IMMEDIATE RELEASE
March 3, 1994

NOTE TO EDITORS:

The Department of Energy (DOE) has available for public review the medical records of 18 people who were injected with plutonium during the late 1940's as part of a government experiment. Personal identification information has been removed from the records.

An unindexed copy of these records (approximately one copier-paper box in volume) is available for examination in the Public Reading Room, room 1E190 in the Forrestal Building, 1000 Independence Ave, SW, Washington, DC, Monday through Friday between 9 a.m. and 4 p.m.

Indexed copies of the records should be available in DOE reading rooms around the country within two weeks.

-DOE-

N-94-012

FACT PAPER

Mar. 3, 1994

RELEASE OF MEDICAL RECORDS ON THE 18 PLUTONIUM INJECTED PEOPLE

- Albuquerque Tribune reporter in Washington received last night (Mar. 2) redacted copies of the medical records of the 18 people. This under a FOIA request.

- Those records can be reviewed in the FOI reading room, Forrestal Building room 1E-190, phone 202-586-6020. Total volume is about two copier-paper boxes full. This is the referral point for all requests, including media.

- The records are not indexed.

- However, a copy was sent to the information center at the Nevada test site office in Las Vegas for indexing and copying. DOE should have multiple indexed copies available in the FOI reading room about noon Friday, Mar. 4. The Nevada center will send copies to DOE reading rooms around the country (but arrival dates depend on postal delivery time).

- Four next of kin have asked for copies of the records (including Ms. Allen). Cover letters and records will be sent from EH today (Mar. 3) via overnight delivery.

- Congressional and Intergovernmental Affairs has notified interested members of Congress and will make available copies upon request. Expect several interested parties (including Markey) will want copies today (Mar. 3).

- Public Affairs expects to release a "Note to Editors" early this afternoon (Mar. 3) indicating the records are now available in the FOI reading room.

- Future: Requests for any portion of the records should be referred to the FOI reading room. They will, per standard procedure, take phone requests and fill as appropriate. People can expect to be charged a fee for pages after the first 150. Most places charge a nickel a page.

- Take media questions that arise based on data contained in the records, but be aware (and let media know) that we probably won't be able to get answers on most. We don't have first hand knowledge about experiment particulars. Any judgmental questions should await answers from the President's Advisory Committee.

**Department of Energy**

Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1Facimile Machine Number
202/586-9987Verification Number
202/586-4940DATE: 2-16-94TO: Phil Caplan

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FROM: Goulden

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**Department of Energy**

Washington, DC 20585

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March 1, 1994

WEEKLY PUBLIC AFFAIRS REPORT TO THE SECRETARY

0 MEDIA ACTIVITIES

- Secretary's New York trip March 3: Media being worked include a breakfast with science reporters, interviews with Fortune and Essence magazines. Visit to the fusion facility at Princeton also includes a meeting with employees and media availability. Interview with Malcolm Browne of New York Times about the future of DOE labs and big science.

- Ebony and Jet interviews on March 7: The Secretary will be discussing her efforts at the department.

OUTREACH/PUBLIC INVOLVEMENT:

- Science Bowl regional competitions continue this weekend. They will be the first such sessions in Alaska and Hawaii and the rescheduled competition at the Forrestal Building on March 5.

PROACTIVITY/COORDINATION:

- Public Affairs is forwarding for approval an internal communications plan. A lack of a formal internal communication process was highlighted by the team developing the communication and trust strategy. Such a structure should greatly enhance the cascading on department policies. Employees will become more aware of complex wide policy issues and statements.

- A draft Laboratory Outreach Communications Plan was recently provided for comment to field and contractor public affairs directors. Comments on this "message team" concept are due back March 10 and will be incorporated for review by program offices.

0 WHITE HOUSE INTEREST

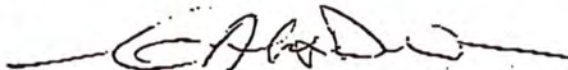
- Secretary's Speaking Events:

- March 2 in New York to the American Association of Blacks in Energy annual conference.

- On March 4, speaks at the Pentagon at observances for Women's History Month.

- The secretary travels on March 4 to Albuquerque and Carlsbad, New Mexico, for speeches and visit to the Waste Isolation Pilot Plant the following day.

- Three congressional testimony appearances are scheduled for next week. The Secretary will be before the House appropriations subcommittee on Monday, March 7; at the House Energy and Commerce subcommittee on March 8; and at the House Armed Services committee on March 9.



Michael G. Gauldin
Director of Public Affairs and
Consumer Affairs

**Department of Energy**

Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1**Facimile Machine Number**
202/586-9987**Verification Number**
202/586-4940**DATE:** 2-24-94**TO:** Phil Coplan

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AP Q0070 rn genid WA-Radiation Shirts, Bjt,500

TO = PHIL KAPLAN
TARA OTOOLE

02-23 3:53p

Shirts Spoof Energy Department's Compensation Promises
AP Photo

spojkwjtml-oia

SPOKANE (AP) - People who criticize his glow-in-the-dark shirts spoofing Department of Energy proposals to compensate radiation experiment victims are missing the point, Bill Voiland says.

"The point is not so much to make fun of the victims as it is to make fun of the government offering free money," Voiland said of his Radiation Accumulation Determination shirt kits. "If anybody feels they're hurt by it, I'll send 'em a letter, maybe a free sticker, or a radiation discount."

Energy Secretary Hazel O'Leary is reacting hysterically to reports that some people were unwittingly exposed to radiation during tests from the 1940s through 1960s, Voiland contends.

His R.A.D. shirt kits contain a postcard to O'Leary's office, offering the buyer a chance to request immediate compensation from the government. The sender can check amounts of \$1,000, \$10,000, \$100,000, or fill in a blank for an amount of the sender's choice.

Turn out the lights and a large dollar sign appears on the front of the \$16.95 T-shirts, or \$24.95 sweatshirts.

Tasteless, said the executive director of a Spokane-based Hanford nuclear reservation watchdog group.

Lynn Stenbridge of the Hanford Education Action League likened the shirts to making fun of someone struck by a hit-and-run driver.

"If you've seen an interview with an atomic veteran, or a downwinder who has buried children who died from leukemia, this is in appallingly bad taste," Stenbridge said. "I don't think most downwinders are out there for a buck. They want the truth."

Energy Department spokesman John Donnelly laughed when told of the shirts, but declined to comment on whether it was in good taste.

Voiland's contention that the Energy Department is "opening the coffers" for anyone claiming to have been harmed is "100 percent wrong," Donnelly said.

President Clinton last Thursday appointed a 15-member committee to study whether the radiation experiments were unethical, and whether compensation is warranted, he said. The study is expected to take a year.

Any compensation payments would require congressional approval, he added.

But Voiland, whose Spokane-based Nuclear Wear company made an estimated \$40,000 last year from his line of pro-nuclear "Gone Fission" and "Nuke Kids on the Block" shirts and hats, contended the government should concentrate on "real problems, not something you can't do because it happened 50 years ago."

Voiland grew up in the Tri-Cities, where his father was a Hanford worker.

"I'm living proof to the fact that exposure to radiation causes no harm," he said.

He plans to offer O'Leary a free shirt when she attends a conference in the Tri-Cities this spring. Even if she refuses to accept it, his business will continue to bloom in the Tri-Cities, where he sells as many as 300 shirts a year through the BB&M sporting goods store.

"It's a niche market," he said.

energy]

No 'gentlemen' at Citadel, woman says



Reuters
FAULKNER: Has heard obscenities

Shannon Faulkner, the first woman to attend The Citadel, said Thursday that male cadets at the Charleston, S.C., state-run military school have yelled obscenities and sexual slurs at her — and she wants it stopped. "I expect them to be the gentlemen they were taught to be," Faulkner, 19, said after a court hearing into her joining the all-male cadet corps. She also was referred to as "Shrew Shannon" and "The Divine Bovine" in the school newspaper. College President Claudius Watts "categorically" denied there had been harass-

ment. Faulkner started classes Jan. 20, but can't participate in military training, pending the outcome of her lawsuit. At the hearing, a federal judge rejected a request by nine cadets who want to show their education experience would be harmed if Faulkner joins the corps.

SINGLE WOMEN: The number of working displaced homemakers — divorced, separated or widowed women — rose 22% in the 1980s, to 17.8 million, according to an analysis of Census data by the advocacy group Women Work! Among the reasons cited: Peak baby boomers are at ages when divorce is most likely. One of every six women is a displaced homemaker. Among those who head families, the poverty rate is 42%, nearly four times the national average. The number of working single mothers rose to 7.7 million from 5.8 million, partly because of growing acceptance of out-of-wedlock births. Their poverty rate is 44%.

ALZHEIMER'S TREATMENT: There's more evidence anti-inflammatory drugs may delay or prevent Alzheimer's disease. A study of 50 pairs of elderly twins, reported in today's *Neurology*, found those who took non-steroidal anti-inflammatory drugs, including ibuprofen and naproxen, to alleviate arthritis pain were less likely to have developed Alzheimer's disease than their siblings who did not take the drugs. But until larger studies are completed, regular use of even over-the-counter drugs isn't recommended, says the Alzheimer's Association's Sheryl Williams.

CHEMICAL LEAK: More than 4,000 people were evacuated in Nogales, Ariz., and across the Mexican border because of a flammable, petroleum-based chemical leaking from the city's main sewer line. The source of the chemical wasn't immediately known. By late Thursday, officials said the danger had passed and residents were allowed to return home. Cross-border pollution is the suspected cause of high rates of cancer and other diseases.

TAINTED MEAT PAYMENT: The parents of a 2-year-old Tacoma, Wash., boy who died after eating a contaminated hamburger at a Jack in the Box restaurant have settled their lawsuit for \$1.3 million. Michael Nole of Tacoma was one of four children whose deaths last winter were blamed on a type of *E. coli* bacteria traced to contaminated and undercooked Jack in the Box hamburgers.

MUGGING VICTIM: A man who killed two teen-age muggers on a New York street was placed on probation for five years, over the objections of prosecutors who wanted him sent to prison. Arthur Boone, 42, pleaded guilty to a gun possession charge after a grand jury decided not to indict him on more serious charges. Boone, who had been robbed twice before, killed the muggers Nov. 14 after one pulled a pellet gun and the other took his wallet.

MIRACLE DOG: After surviving 25 days with no food, Honey — a 14½-year-old golden retriever — was "running in the fields," her delighted owner said. "It's a miracle," said Ann Wilmer Hoons. "It sends a message about never giving up." Honey, who disappeared during a morning walk on Jan. 13, was discovered Feb. 7 at the bottom of a brush-covered hunters pit less than a half-mile from the farmhouse where she lives outside Chestertown, Md. Honey weighs 30 pounds, down from 70 pounds. Today, she'll star at the Hoon grandchildren's school show and tell.

HATEFUL SPEECH: To help fight racial intolerance, Gov. Christie Whitman plans special showings of *Schindler's List* for college students beginning Feb. 28, the day before a speech at Trenton State College by a black Islamic leader who called Jews "bloodsuckers." Whitman said director Steven Spielberg agreed to lend a copy of his Oscar-nominated film about the Holocaust. At issue: how to help reduce tensions raised by Khalid Abdul Muhammad, a former top aide to Nation of Islam leader Louis Farrakhan. In New York, NAACP and Anti-Defamation League officials met to smooth tensions caused by the Nation of Islam flap, but agreed on little.



USA TODAY
WHITMAN: Countering intolerance

ALSO THURSDAY . . .

► **CHILD TESTIMONY:** The Illinois Supreme Court struck down a law that would have allowed child witnesses in sex abuse cases to testify via closed-circuit TV. The court said the state constitution provides defendants a right to confront accusers face to face. The U.S. Supreme Court in 1989 said federal law doesn't require physical presence.

► **BORDER PATROL HARASSMENT:** A federal judge in El Paso approved a settlement agreement that U.S. Border Patrol agents cannot detain people simply because they look Hispanic. The suit was filed by students and employees at Bowie High School. Excluded: checkpoints or other places where reasonable suspicion is not required by law.

► **TEEN CURFEW:** The American Civil Liberties Union filed suit in Miami challenging a Dade County youth curfew that began Thursday. The group says the curfew, 11 p.m. on school nights for youths under 17, violates privacy rights. The curfew is aimed at combating juvenile crime.

► **SATELLITE NAVIGATION:** Fewer air travel delays and more direct routes are among the benefits of the new Global Positioning System the FAA declared ready for use by civilian air carriers. The system uses 24 military satellites. Widespread use is still a few years.

► **RADIATION TESTS:** The Johnson Space Center in Houston funded two studies on humans that involved radiation, *The Houston Post* reported. Lawrence Dietlein, an assistant director, said the subjects of the 1963 and 1974 experiments consented and radiation doses were "very, very small," perhaps less than an X-ray.

► **GUN CONTROL:** Congress should ban handgun sales and initiate stricter safety regulations for making hunting weapons, firearms attachments and ammunition, says the Violence Policy Center. It said there are tougher safety regulations on toasters and teddy bears than on handguns. The study is to be in *Rolling Stone* magazine March 10.

Written by Paul Leavitt. With: Lori Sharn, Gary Fields, Steve Marshall, Sandra Sanchez, Cathy Chestnut and Desda Moss.

WASHINGTON

Ex-treasurer guilty of evading taxes



Reuters

VILLALPANDO: Admits cover-up

Former U.S. treasurer Catalina Vazquez Villalpando pleaded guilty Thursday to tax evasion, obstruction of justice and conspiring to hide income she received from a former employer. Villalpando — whose signature appears on U.S. currency printed between December 1989 and January 1993 — admitted evading more than \$47,000 in federal income taxes. She acknowledged obstructing an independent prosecutor's investigation of the Reagan-era influence-peddling scandal at

the Department of Housing and Urban Development and admitted concealing income and benefits she received from her ex-employer while serving as U.S. treasurer. No sentencing date has been set.

PEACEKEEPER HONORED: The Navy is naming a guided missile destroyer after Marine Col. William Higgins, who was serving with the U.N. peacekeepers in Lebanon six years ago when he was kidnapped and slain. The ship will be built at Bath Iron Works, Maine.

BRIEFLY . . . Rep. William Natcher, 84, D-Ky., hospitalized at Bethesda Naval Hospital near Washington for what aides say is exhaustion, pledged to return to his job when Congress ends a 10-day recess Tuesday. . . . President Clinton called for a White House Conference on Aging to be convened in May 1995, the first since 1981. . . . Attorney General Janet Reno said a proposed \$130 asylum application fee would be waived for those who can't afford it. The money would go to hire more examiners to cut a 300,000 case backlog. . . . Fourteen retired military officers said they're backing Virginia U.S. Senate candidate James Miller, challenging retired Marine lieutenant colonel Oliver North for the GOP nomination. The candidate, to be chosen at a June party convention, is expected to face incumbent senator Charles Robb, D-Va.

CORRECTION: Sen. Phil Gramm, R-Texas, did not sponsor a page from New Hampshire, as reported Monday. The page was sponsored by Sen. Bob Smith, R-N.H.

Senators' private line



Matt Mendelsohn, USA TODAY

READY, WAITING: Cars for the new Senate subway sit under plastic wrap at the Hart Office Building, one of three stops on the \$18 million system set to open this summer. The self-propelled enclosed cars — replacing open ones now in use — will carry senators between the Capitol and the Hart and Dirksen buildings.

Homeless plan: More federal aid

Draft estimate uses largest numbers yet

By Patricia Edmonds
USA TODAY

In the largest estimate yet of how widespread homelessness is, a draft presidential policy says more than 7 million Americans have been homeless at some point since the mid-80s.

The draft recommends beefed-up federal programs to help the homeless, including more and better housing subsidies, say those who have read it. But it gives no details on what such programs would cost, or how to pay for them.

President Clinton has not yet received the final draft of the plan, commissioned in March.

White House spokeswoman Dee Dee Myers said Thursday the plan is part of an "expanded commitment to fighting homelessness." She called it "a fundamentally different view of homelessness than we've seen over the past 12 years" under Republicans.

Fred Karnas, of the National Coalition for the Homeless, has read the plan and called it "probably



KARNAS: Advocate says analysis good

Minnesota Democrat Rep. Bruce Vento, chairman of a House homelessness task force, praises the draft's "varied approaches to increase access to affordable housing." Included: Raising the number and dollar amount of subsidies and giving grants to people facing crises that might push them into homelessness.

The plan also recommends increasing outreach to the homeless mentally ill and channeling more funds and responsibility for homeless programs to local governments and non-profit groups.

Three Cabinet secretaries oversaw the draft: Jesse Brown of the Department of Veterans Affairs; Donna

the best analysis of the issue that's come out of the federal government."

On any given night, advocates like Karnas estimate 700,000 people are homeless. Rather than framing homelessness as a problem of the mentally ill or drug addicts, Karnas says, the plan stresses that poverty and joblessness put millions of Americans on the street — or just a paycheck away from it — at some point in their lives.

While advocates applaud that analysis, Karnas says, "What we're holding our breath on is the recommendations" that will flow from it.

IN WASHINGTON, D.C.: Advocates claim that on any given night 700,000 people are homeless.



By Bruce Sittler, USA TODAY

Shalala of the Department of Health and Human Services, and Henry Cisneros, who has said fighting homelessness is his top priority at the Department of Housing and Urban Development.

The federal Office of Management and Budget is reviewing the draft plan, Myers said and the costs of its proposals cannot yet be estimated. But she stressed that "any additional spending would have to be offset by cuts somewhere else in the budget."

Gordon K. Soper
Principal Deputy
Assistant to the Secretary of Defense (Atomic Energy)
3E1074 (703) 697-5161

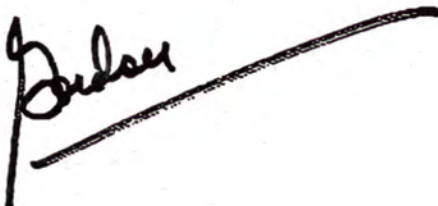
February 16, 1994

MEMO FOR: C. Varney or P. Caplan

SUBJECT: *Wall Street Journal* Article

Christine:

A short blurb appeared in last Wednesday's *Wall Street Journal* and I wonder if you have any more background on who might be responsible for the quote—I asked Tara and she didn't have a clue. The blurb follows: **A panel of scientists** told lawmakers that, with few exceptions, radiation experiments conducted on humans in the 1940s and '50s appear to have involved doses that would leave no long-term health problems. End of blurb.

A handwritten signature in dark ink, appearing to read "G. Soper", is written over a horizontal line that extends to the right.



Department of Energy
Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1

Facimile Machine Number
202/586-9987

Verification Number
202/586-4940

DATE: 2-9-94

TO: Phil Caplan

Fax Number 456-6704

Verification Number _____

FROM: Gauldin

*This transmittal consists of 2 page(s) excluding this cover sheet.

ST. LOUIS POST DISPATCH

FEB - 9 1994

Now They Howl About 'Beagle Club'

By Richard C. Paddock
© 1994, Los Angeles Times

DAVIS, Calif.

THE RADIOACTIVE beagles are long gone, their frozen carcasses hauled off to a nuclear waste dump in Washington state along with 140 tons of radioactive dog waste.

But their legacy has jolted residents of this environmentally conscious college town, which declared itself a "nuclear free zone" a decade ago. After all, this is a community where the bicycle is king, recycling is a popular pastime and smoking is banned even on downtown sidewalks.

Now on the edge of the campus of the University of California at Davis, about two miles from the city limits, sits a contaminated ghost town of empty dog kennels, deserted research laboratories and aging landfills surrounded by barbed wire.

The secluded Department of Energy facility — where scientists fed beagles radioactive chow in a 30-year study of nuclear fallout — is so toxic it is now proposed for listing as a federal Superfund site.

Continuing disclosures over the past five years that the facility has emitted radiation and contaminated ground water has left some neighbors feeling betrayed by the university and the federal government.

"A lot of people gave the university the benefit of the doubt, as I did in the beginning," said Julie Roth, a neighbor whose well is fouled by radioactive tritium and toxic chemicals from the site. "I believed they, more than anyone else, would know the dangers and [take] the most steps to protect people."

The facility where scientists fed beagles radioactive chow in a study of nuclear fallout is a toxic wasteland.

"In fact, I found out it was just the opposite."

The "Beagle Club" was a set of experiments in six states to study the effects of nuclear contamination. It existed from 1956 until 1986, when the last of 1,200 beagles died. At the Davis Laboratory for Energy-Related Health Research, scientists fed some beagles stron-

tium 90, injected some with radium, and irradiated others with cobalt to see how nuclear fallout might affect people.

Now, some neighbors and former workers at the site say they were alarmed to learn they may have been unknowingly exposed to radiation from a cobalt irradiator used on the beagles outdoors for 15 years without public warning. One former university student who worked with the dogs has sued, charging that she developed cancer from the exposure to radiation.

Furthermore, radioactive and chemical waste from the facility has poisoned wells on neighboring farms, prompting the university to provide bottled water to nearby homes. Some farm owners say they may sue over lost property values.

The beagle research center is just

Although the radiation research was not a secret, nearby residents say they were given no notice of any hazards.

BURRELLE'S

NEWS EXPRESS

PAGE 1 OF 4

one of 4,000 Department of Energy sites contaminated by radiation or chemical waste during the Cold War rush to produce nuclear weapons and study the effects of radiation.

The department, which recently admitted conducting radiation experiments on humans without their knowledge, estimates that it will cost as much as \$200 billion over 30 years to clean up the toxic mess caused by a half-century of nuclear development.

The "Beagle Club" experiments began at a time of "Cold War hysteria," said Marvin Goldman, who headed the Davis research for 20 years.

The scientists selected beagles for the experiments because they are long-lived, they have greater genetic diversity than other dog species and their skeletons and bone marrow resemble that of humans.

The research was sponsored by the Atomic Energy Commission, a forerunner of the Department of Energy, which

contracted with UC Davis and other institutions to conduct specific studies.

At Colorado State University in Fort Collins, "Beagle Club" researchers looked at the effect of radiating beagles inside the womb. In Albuquerque, N.M., scientists studied beagles that inhaled radioactive material. Researchers at Hanford, Wash., and at the University of Utah medical school examined the effects of plutonium on beagles. And scientists at Argonne National Laboratory in Illinois, outside Chicago, studied external radiation and long-term genetic damage.

Goldman said the UC Davis research led to important discoveries that helped shape medical policy for the nuclear era and set radiation safety standards used all over the world.

The Davis researchers found that high levels of strontium 90 caused bone cancer and that even higher levels caused leukemia. At the same time, they found that at lower levels — up to 1,000 times background exposure —

there were no health effects. From this they concluded that strontium emitted by nuclear plants is well below the level that would be consid-

ered unsafe.

Although the radiation research at the lab was not a secret, nearby residents say they were never given notification of any hazards and only learned about possible dangers after the cleanup started in 1989 and they began asking questions.

Neighbors were especially startled to learn about the cobalt irradiator, which was heavily used until the mid-1980s.

UC Davis and the Department of Energy sought to assure residents they were not harmed, but then found that researchers had kept virtually no records on the amount of radiation emitted in the surrounding

area.

"What was surprising to me was an absolute lack of any scientific information they kept on the potential exposure," said Julie Roth.

As a UC Davis student in 1972 and 1973, Rheem Araj worked at the research center helping to take care of the beagles. According to her lawyers, she was never told of radiation on the site and was never issued a

radiation monitoring badge.

In 1984, she contracted lymphoma, which is now in remission. She did not connect her cancer to the beagle research until after 1990, when word of radiation exposure at the site began to surface. Now she is suing the university, contending that radiation exposure caused her illness.

At this point, UC Davis and federal officials say there is no threat to

human health from the research facility.

The Department of Energy and UC Davis have been working on cleanup of the site for four years. But because of concern about the potential exposure to people in the area, the Environmental Protection Agency announced last month that it would step in.

BURRELLE'S

NEWS EXPRESS

PAGE 2 OF 4

2/13

OPINION USA

The two faces of the nuclear genie

Radiation tests deserve scrutiny, but human research has benefits, says Secretary O'Leary

My husband, Jack, died of eye cancer a few days before Christmas 1987. It was a painful and awful death.

But had it not been for human cancer research, we would have lost him years earlier when he was first diagnosed.

He voluntarily submitted to experimental medical trials when he knew he had terminal cancer for two reasons: He wanted to hold onto life as hard as he could, and he wanted to leave something behind for other cancer victims.

His willingness to participate in a scientific experiment gave us four fulfilling years together and allowed him to work productively.

Jack's life-enhancing experience was not shared by some of the victims of human radiation testing in the early decades of the Cold War.

Nevertheless, I believe recent disclosures about this dark and narrow corner of our

history will result in a full accounting to those wronged by the experiments, a more open and trustworthy government, and stronger ethical guidelines for today's research.

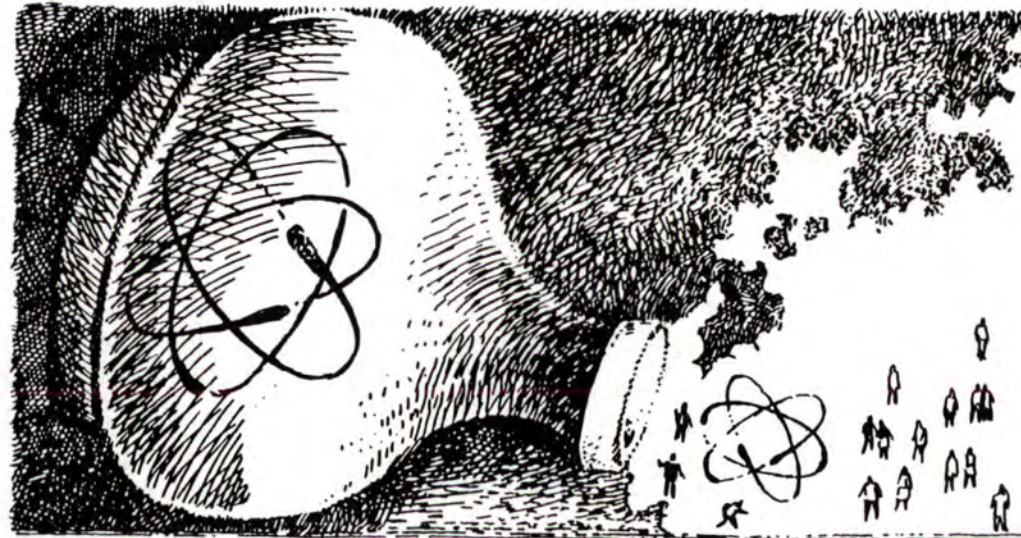
If I am right, our efforts to "come clean" with the American people will have had a positive effect.

If, however, a distrustful American public points to past government abuses as a reason to oppose medical research, the search for an AIDS vaccine, a cure for cancer or treatments for hundreds of other diseases could be set back terribly.

Since the announcement Dec. 7 that the Department of Energy would investigate government radiation testing on human subjects, the department has received over 10,000 calls from people who believe they were subjects of radiological research over the past 50 years.

About half of this number said they were military veterans, and their cases are being handled by the Department of Veterans Affairs.

President Clinton has appointed a civilian panel of scientists and ethicists to review human radiation test data uncovered in a government-wide



By Web Bryant, USA TODAY

search and to determine whether ethical standards were violated.

And the government is reviewing models on how victim compensation and assistance issues have been handled in other situations.

In these inquiries, there are some key questions we must try to answer:

► Did post-World War II researchers truly understand or realize the dangers of exposing humans to radiation?

► Were individuals adequately informed about the testing and, if so, did they give proper written consent?

► Were the elderly, retarded, infants, prison inmates, hospital patients and minorities singled out for such testing?

► Did the radioactive research serve some therapeutic medical purpose?

► Does the government owe an apology?

To be sure, not much was known at the time about the ef-

fects of radiation, and the whole point of research, after all, is to find out about what you don't know.

But there is enough evidence to suggest that recognized procedures were not followed in some cases and that there may have been violations of legal and ethical standards.

Our inquiry will be a lengthy one — records detailing radiation experiments over the past 50 years are scattered throughout many government agen-

cies. Those who expect the job will be accomplished overnight will be disappointed.

But we are committed to fully expose this unfortunate piece of our nation's history.

In our zeal to right, or at least recognize, a wrong, we should not lose sight of the benefits of medical and scientific research:

Medical trials led to the development of the polio vaccine. Radiation research brought us treatments for cancer and X-rays to pinpoint medical problems.

Every medical school in the country now has a department of nuclear medicine which can trace its existence to the 1940s and 1950s when radiological testing was being performed, correctly or incorrectly, on human subjects.

The release of the nuclear genie at the dawn of the atomic age a half-century ago has forced upon us the responsibility to be its guardian.

We, our children and their children will have to coexist with the two faces of this genie: the most awesome weapon the world has ever known, but also a powerful instrument in the peaceful quest to save lives.

► 'Atomic vets,' 3A

Context

What we know about experiments

► In 1940s, 18 men and women were injected with plutonium.

► Many soldiers and civilians were exposed to radiation during testing at bases from Oak Ridge, Tenn., to Los Alamos, N.M.

► Up to 33 VA and state hospitals fed patients food with radioactivity in metabolism tests.

► Prison inmates in Oregon and Washington were dosed with X-rays.

► Thousands of people in the Southwest claim radiation exposure because they were "downwind" from testing.

► The government has paid about \$100,000 to 600 radiation victims.

Real Vietnam division is here, not in Hanoi

The people who didn't fight have the hardest time putting it behind them.

President Clinton has lifted the trade embargo on Vietnam, making the world a more accommodating place for companies like Citibank, General Electric, Caterpillar, Philip Morris and Motorola.

The move, which Clinton undertook with trepidation, has turned out to be much less controversial than he might have feared. He has taken some heat on the POW/MIA issue, but the move has gone smoothly largely because high-profile Vietnam vets have supported it.

But despite the commentary we currently hear, Clinton's action does not "close the book" on Vietnam any more than George Bush's victory in the gulf war put the "Vietnam syndrome" behind us.

As always, the bedevilment of Vietnam is internal and domestic. It is the division that still exists between those who served in the war and those who didn't. This is not a division that can be closed by actions taken abroad. It is much more personal.

Oddly, the people who didn't fight in the war continue to have a hard time putting it behind them. They have little or no desire to cross that divide.

Although you find it in universities, on the job and in social gatherings, perhaps the best illustration of this attitude can be found in Clinton's own appointments.

While he has been careful to appoint a demographically correct number of women and minorities, his attention to Vietnam vets has been disproportionately low, according to a study by John Wheeler, a lawyer who was chairman of the organization that built the Vietnam Veterans Memorial in Washington.

The report, released three months ago, showed that while vets ought to statistically represent 35%-40% of Clinton's appointments, they actually account for less than 8%. Fewer than 1% if you exclude the Defense and Veterans Affairs departments, where vets most likely would, in Wheeler's words, "be ghettoized."

"Of the first 213 men appointed to Cabinet agencies outside the Pentagon and VA, only two were vets. In the seven top appointments to the Pentagon there is one vet. No (military) service secretary has seen combat," says Wheeler.

The report sent staffers at the White House scrambling to come up with their own data to refute Wheeler's, but so far there has been no rebuttal.

"This is something they should be able to do in about two hours," says military sociologist Charles Moskos of Northwestern University. He thinks Wheeler "is onto something."

Wheeler suggests a deliberate effort to exclude vets, but Moskos thinks the Clinton oversight could be a natural result of his opposition to the war.

"The war protesters have more of an ideological stake in maintaining their position," he says.

This reverses what usually happens in the years following a major war.

Vietnam is unique in that now, decades later, those who fought in the war can accept those who didn't. But those who didn't fight cannot accept those who did.



Joe Urschel's column appears on Tuesdays and Thursdays.

Today's debate: FIGHTING THE DEFICIT

Taxpayers, beware: Deficit problem hiding, not gone

OUR VIEW Why do deficits grow? Because political leaders never finish cutting them down to size.

The Clinton administration is lauding its \$1.5 trillion 1995 budget for bringing the budget deficit down to *only* \$176 billion and holding it there.

Only? In 1969, just 25 years ago, *total federal spending* was \$183 billion. That was the last year the federal budget showed a surplus, \$3.2 billion. The nation has wallowed in red ink ever since.

Why? Because politicians act only when hard times push deficits to new heights, then fail to bring them all the way to Earth when times are good.

Consider 1986: The deficit hit a worrisome \$221 billion. President Reagan and Congress agreed to cuts that brought it down to \$150 billion the next year. But there it stayed, throughout the boom of the late 1980s. When the economy began to turn sour in 1990, up it popped to \$221 billion — and kept going higher.

So, how significant is the record \$120 billion deficit cut Clinton is so proud of?

It helps. There's no doubt of that. But unless tougher action is taken, it may

prove to be only a pit stop before the deficit zooms off track again. Here's why:

► Clinton's deficit projections — and Congress' — are partly illusion. They don't include money owed Social Security and other trust funds. Without those surpluses, the deficit would be \$50 billion to \$100 billion a year higher. That's buck passing, not budget balancing. Today's kids will have to cough up the money when it comes time to dole out the baby boom's Social Security checks.

► Clinton's projections are estimates. They don't include health-care reform. Clinton says his reform will lower costs; other experts aren't so sure. If it doesn't, \$300 billion deficits are likely.

► Finally, Clinton's projections are based on hope that the economy doesn't turn sour as it did for Bush.

The nation has piled up \$4 trillion in debt — \$15,000 for each person — over the past 25 years as a result of politicians' illusions, estimates and hopes.

Clinton can do all of us a favor if he pushes Congress for a bigger down payment while times are good. They never stay that way forever.

► Comparing the deficit, 1B

Deficit isn't only priority

OPPOSING VIEW Keep debt in check, but pay attention to needs in health, education and job-creation.

By Harry G. Shaffer

Our fear of deficits and of our growing national debt is grossly exaggerated, and making deficit reduction a top economic priority is the wrong medicine for our economic ills.

True, our national debt of around \$4.5 trillion is enormous, but how dangerous a debt is surely depends on the debtor's income. Currently, our national debt amounts to roughly 70% of the value of our nation's total annual output. Few people realize that at the end of World War II in 1946, it amounted to 127% of that year's output!

Moreover, does the burden of a debt not depend also upon whom you owe the money to? If you owe money to your bank and can't meet payments, you're in trouble. But it isn't quite the same, as far as family income is concerned, if you owe that money to your husband or wife, is it? After all, if you make a pay-

ment to your spouse, your family's purchasing power remains unchanged, doesn't it?

Well, most of our nation's debt is owed by Americans to Americans: it is owed collectively by the people of the United States to the holders of government securities, such as government bonds or Treasury certificates. And 80% of these are held by private individuals, by banks, by insurance companies, even by state treasuries and federal government agencies in our country. Hence, as taxpayers we pay, and as holders of government securities we receive — and so will our children.

Granted, we do not want to see our deficits rise and our national debt grow faster than our total output, as indeed it did during the 12 Reagan-Bush years. But, on the other hand, we certainly must not neglect our country's enormous problems in such areas as unemployment, health care or education merely to reduce our annual deficits.

Harry G. Shaffer is professor emeritus of economics at the University of Kansas, Lawrence, Kan.

**Department of Energy**

Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1Facimile Machine Number
202/586-9987Verification Number
202/586-4940DATE: Feb 9, 1994TO: Phil Caplan

_____Fax Number 456-6704Verification Number 456-2572FROM: Dana Biddens

*This transmittal consists of 2 page(s) excluding this
cover sheet.

February 8, 1994

WEEKLY PUBLIC AFFAIRS REPORT TO THE SECRETARY

0 MEDIA ACTIVITIES

-- CNN Documentary on Changed DOE Culture: CNN interviews Tom Grumbley on February 9 and Tara O'Toole on February 10 for the special documentary on your "openness initiative" that will air in March. Public Affairs is working with producer on the story components, including filming at Germantown for background. CNN will interview you and camera crew will film you at work on Monday, February 14, as part of the documentary.

-- Radiation Records Retrieval Interview: Earl Lane, New York Newsday, will interview Glenn Podonsky of EH by telephone on February 11. Podonsky is heading records retrieval taskforce for the Department and is a member of inter-agency team. Expect story to be straightforward status update.

-- Shipment of PU-238 from Russia to Norfolk: This shipment is expected to get strong local and regional media coverage when it arrives sometime this week. Public Affairs working actively with Naval Base, Norfolk; Atlantic Fleet; and DOE Field Public Affairs on details. Anticipate some controversial coverage.

-- Spent Fuel Forum, Washington, D.C., February 10: Tom Grumbley meets with representatives of state governments, other agencies, and foreign representatives to discuss the issue of spent fuel from foreign research reactors. The public has been invited and media is expected to attend. Expect straight reporting. This is precursor to February 25 "Summit," which will be attended by Governors and Congressional members.

-- Kickoff of 1994 National Science Bowl: Regional competitions will be held at DOE labs and facilities on February 12 and 26. Winners of the regional competitions will compete in Washington, D.C., April 22-25. We anticipate that media interest will be intensified by the Administration's emphasis on science and math education and technology and by our recently distributed press releases.

-- Fortune Magazine Story on CRADAs: Fortune's Nancy Perry is working on a story with Lawrence Livermore Labs about opportunities for CRADAs and business partnerships in the President's '95 budget. Story expected in upcoming issue.

0 MEDIA COVERAGE/INTEREST

-- Launch of Contract Reform Report: Your press conference on February 3 received overall positive coverage capturing your new policy of "sweeping reforms" in contracting as "rewarding good work and punishing bad." National and regional press publications gave it either front page or business section space. After the 30-day comment period, expect that we will get media queries that will continue this "good news" story.

-- Media Queries on Radiation Exposure: U.S. and foreign media interest about the issue of "human testing" and your "Openness Policy" continues to be strong. The Public Affairs "War Room" and the press officers are responding to large numbers of requests for background material and information and for interviews.

0 OUTREACH ACTIVITIES

-- Stakeholder Input: Reduction of DOE Regulations: The Office of Consumer Affairs is working with Romy Diaz in coordinating stakeholder participation in DOE's effort to review, improve or eliminate regulations and orders.

-- Openness Initiative Workshop at National Academy of Sciences: DOE, Intelligence and Security, is sponsoring a public workshop on February 16, at which panels will discuss specific issues. Public Affairs has not been asked to assist in planning either the public meeting or working with potentially high level of media interest.

0 INTERNAL COMMUNICATION

-- Public Affairs Directors Meeting, February 16 & 17: I will meet with department public affairs directors on Wednesday the 16th and hold the first joint meeting of Department and contractor public affairs directors on Thursday the 17th, here in the Forrestal. We will discuss '94 communications themes and messages. I hope you can address the joint meeting on the 17th.

0 WHITE HOUSE INTEREST

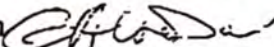
-- Secretary Speaks to Cambridge Energy Research Associates: Secretary O'Leary will give the keynote luncheon speech to 500 Executive Conference participants in Houston on Wednesday, February 9. Theme of the conference is "Global Energy Strategies." Focus is the strategies and opportunities available to the energy industries for the '90s and into the 21st century. Following the event she will do a press availability with Daniel Yergin.

-- Larry King Radio Show: Secretary O'Leary will do a live interview with Larry King on Friday evening, February 11. Issue is "radiation exposure."

-- E.O. Lawrence Memorial Awards Presentation: Vice President Gore and Secretary O'Leary will present \$10,000 E.O. Lawrence Awards on Monday afternoon, February 14 to seven scientists being recognized for their scientific achievements in such areas as life sciences and chemistry. National and regional media expected.

-- National Press Club Luncheon Speaker: Secretary O'Leary will speak on "Can we build trust after the Cold War?" at the Press Club on Tuesday, February 15.

-- CRADA Signing on Heat Pump Technology: Deputy Secretary Bill White will sign an agreement with Batelle and Carrier Corporation of New York on a Natural Gas Residential Heat Pump at the Forrestal Building on Tuesday, February 15.

Gauldin 

THE NATION

Atomic vets: Don't leave us out

Groups want to be part of radiation probe

By Paul Hoversten
USA TODAY

Bob Bies will never forget "the tremendous flash and huge shock wave" from nuclear bomb tests he witnessed at age 17 from a Navy ship deck.

One underwater blast was so powerful that it sucked up tons of sea water, coral and mud that rained for minutes on ships 10 miles away.

The experience, Bies says, exacted a terrible price.

"I have one foot in the pine box and the other halfway up," Bies says of the 1946 tests in the Marshall Islands. "We were never warned of the after-effects of radiation. They just said, 'Do as you're told and no harm will come to you.'"

Now, thousands of veterans like Bies who took part in U.S. nuclear bomb tests or served near targeted areas in Japan are pressing for recognition as victims of government-sponsored radiation experiments.

Today, Veterans Affairs Secretary Jesse Brown will testify before a House committee investigating those claims.

"We were exposed at the same time as all these other Cold War experiments on humans. We're victims like anyone else," says Oscar Rosen, 71, a history professor in Salem, Mass., and head of the National Association of Atomic Veterans.

He blames the tests for his cataracts and sterility.

Bies, 65, a retired hydraulic engineer in Waukegan Township, Mich., counts nuclear sclerosis cataracts, skin cancer and a degenerative spine among health problems he blames on his long-ago exposure to radiation.

Atomic veterans groups are worried that recent revelations about civilian radiation testing during the Cold War may overshadow their cause. Energy Secretary Hazel O'Leary has ordered an investigation, and atomic veterans groups want to be included.



IN MONARCH BEACH, CALIF.: Patricia Broudy with a photo of her husband, Charles, a Marine who served at a test site and died of cancer. She says the government wants the issue to 'go away.'



AP
"We were never warned of the aftereffects of radiation."

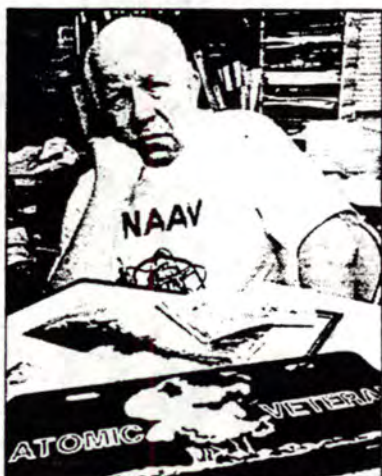
— Bob Bies,
Navy veteran

Ultimately, atomic vets hope the probe will help their claims for compensation for a variety of radiation-related illnesses.

"A lot of us have died and many of us are ill," Rosen says. "It's been an uphill struggle."

No one knows how many atomic veterans still are alive.

The Defense Nuclear Agency has identified 205,472 peo-



By Steve Senne, AP
ROSEN: 'It's been an uphill struggle,' says veterans' group leader.

ple who took part in U.S. atmospheric nuclear testing in the Southwest or in the Marshall Islands from 1945-62. And the agency counts another 195,753 who served in the postwar occupation of Hiroshima and Nagasaki in Japan.

But less than 1% — about 1,600 — received radiation doses in excess of today's fed-

eral standard for occupational exposure, the Pentagon says.

Of 15,369 claims filed with the VA by atomic veterans as of Jan. 12, 1,401 have been granted compensation. Other cases are pending, but the VA cannot say how many. Maximum compensation: \$75,000.

Veterans are eligible for compensation if records place them in an area where bombs were detonated and they suffer certain illnesses that have been traced to radiation exposure.

But many veterans say their efforts have been stymied by government secrecy.

When veterans can't verify status or where they served or if they suffer an ailment not on the compensation list, they bear the burden of proof and can face a long legal fight.

"I think the government is hoping if they stall long enough, the issue will go away," says Patricia Broudy of Monarch Beach, Calif., the widow of a Marine who served at the Nevada Test Site and died of cancer in 1976.

Brown says atomic veterans already have a way to seek compensation, and therefore opposes linking military with

U.S. accepting veterans' claims

The Department of Veterans Affairs will honor medical claims from World War II era veterans if they served in the Pacific near an atomic blast site or in the Southwest near a weapons test site and suffered from one of the following diseases:

- ▶ Leukemia, most forms.
- ▶ Cancer of thyroid, breast, pharynx, esophagus, stomach, small intestine, pancreas, liver, bile ducts, salivary gland, urinary tract.
- ▶ Multiple myeloma.
- ▶ Lymphomas (except Hodgkin's disease).

Veterans seeking information may call the Department of Veterans Affairs at 1-800-827-0365. Veterans wishing to file a claim for radiation compensation should call 1-800-827-1000.

civilian testing. Brown has, however, ordered all 172 VA hospitals to search for records of all radiation experiments.

"We owe these individuals a bright light of truth," he says.

Eventually, atomic veterans may get some help from Congress. Twenty-six members of Congress have written President Clinton asking that veterans from World War II and the Persian Gulf war be included in the radiation probe.

And Rep. Lane Evans, D-Ill., plans to introduce a bill to revise federal guidelines for compensation so that more atomic veterans can qualify.

But atomic veterans groups, mindful of past disappointments, are uncertain if the latest interest in radioactive tests will benefit their cause.

"Everytime we think we're on a roll, it gets wiped out," Broudy says. "In this administration, everything has fallen on deaf ears. The (Defense Department) is sitting back and waiting for it to blow over and the American people do not want to hear bad things about their government."

▶ O'Leary column, 11A

Immigration now an abortion issue

By Maria Puente
USA TODAY

Abortion politics is creeping into immigration policymaking, with Congress set to approve a measure that would grant haven to thousands of illegal immigrants fleeing China's one-child-only policy.

In effect, the measure would establish another "special status" category in U.S. immigration policy, which has been criticized for having too many confusing special categories.

The provision would apply to up to 2,000 Chinese illegal immigrants per year for the next three years who can demonstrate they were or will be subjected to forcible abortion or sterilization in China.

These immigrants would be protected from deportation to China, and could be granted political asylum here.

The measure, in an amendment to the State Department reauthorization bill, was offered

by Sen. Jesse Helms, R-N.C. The fierce abortion opponent says China is "killing innocent babies" through coercive population control.

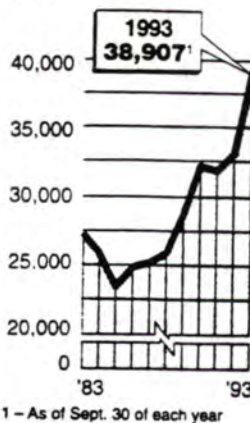
"I am not one to believe in opening the floodgates to anyone who wants to come live in the U.S. for any reason, but there are some things Americans just will not (accept)," Helms said as the Senate approved the measure last week.

Opponents say abuses in China's population program are isolated incidents, not government policy. They predict the measure will encourage more illegal immigration.

Last year, hundreds of Chinese sought asylum after being arrested on smugglers' boats attempting to enter illegally.

"This is an ideological attack by pro-life Republicans on China's family planning program and small-family goal," says Dan Stein of the Federation for American Immigration Reform, which favors reducing

Rise in Chinese immigration to USA

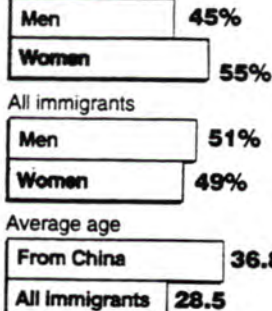


Source: Immigration and Naturalization Service

Who the Chinese immigrants are

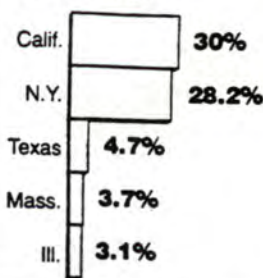
More are women, older

From China



... and settle in California.

Top 5 states of intended residency for 1993 Chinese immigrants:



By Nick Galifianakis, USA TODAY

immigration. "It offers a side-car benefit to 2,000, but arguably hundreds of millions of Chinese might be eligible."

The lobbyists most pleased about Helms' measure are liberal pro-immigrant groups and abortion-rights advocates. They say forced abortion is as much a human rights violation as forced pregnancy — and thus should be grounds for political asylum.

They acknowledge discom-

fort about being on the same side as Helms, who is extremely conservative, "but he's right in this," says Elisa Massimino of the Lawyers Committee for Human Rights, which defends Chinese asylum-seekers.

"This will not lead to vast numbers of Chinese jumping on boats because the fact is (persecution) is not easy to prove," Massimino said.

But the measure would further cloud already murky U.S.

policy on Chinese asylum-seekers. The Justice Department says persecution under coercive family-planning policy is not grounds for asylum, but a federal judge recently ruled that it can be. Justice lawyers have not yet decided whether to appeal.

Helms' original measure was broader, but it was watered down after bipartisan negotiations. Final approval is expected later this month.

California convenes summit on crime

By Vic Pollard
USA TODAY

HOLLYWOOD, Calif. — When a teen-ager was fatally shot on campus last year, students at suburban Reseda High School in Los Angeles began touring elementary schools with an anti-weapons message.

Worried about growing school violence, parents at one Sacramento high school volunteered to patrol the campus, nearly eliminating fights and assaults that had plagued the school for years.

These were among the success stories praised Monday during the first day of a high-profile crime summit organized by California Gov. Pete Wilson to help find ways to reduce crime and violence.

The session, scheduled two weeks ago but postponed because of the devastating Northridge earthquake, concludes today with discussions on issues such as street crime, the effect of crime on business and the role of punishment.



By Chris Martinez, AP

DEADLY TOLL: California Gov. Pete Wilson addresses family and friends of crime victims Monday in Los Angeles.

"As southern California shakes off the fear of earthquakes and aftershocks, it finds itself face to face ... with the fear of violent crime," the Republican governor told 300 victims, experts and legislators.

Critics said the summit is designed to boost Wilson's re-election campaign, capitalizing on polls showing crime is at the top of voters' concerns. They noted that the state's overall crime rate actually decreased slightly last year, and that an unprecedented series of tough law-and-order bills — including a "three strikes and you're

out" measure backed by the governor — is speeding through the state Legislature. "I think it's a lot of political posturing," says James McWilliams, chief public defender in Alameda County and president of the California Public Defenders Association.

Marc Klaas, father of kidnap-murder victim Polly Klaas, said, "It's looking more and more like it's a very skewed kind of a conference, that the only issues that are being put forth are the issues on the governor's crime agenda."

But Wilson and his supporters say violent crime in California has risen 19% in the past five years, driven largely by a 63.7% increase in violent crime committed by juveniles in the same time period.

At the panel discussion Monday, Reseda High School junior Iman Dakhil said: "School violence is all around us. No one can escape it. The only way to deal with it is for everyone to band together to fight it."

Said Rudy Castruita, superintendent of the Santa Ana Unified School District in Orange County: "We as a society have to inject some hope and optimism in our young people. That's all we really can give our kids today, the ability to hope and dream."

Crime soaring in California

Violent crimes per 100,000 people in California, compared with the USA:



Source: FBI Uniform Crime Reports
By Marcia Staimer, USA TODAY