

THE WHITE HOUSE

WASHINGTON

November 21, 1994

MEMORANDUM FOR HAROLD ICKES
BRUCE LINDSEY
GEORGE STEPHANOPOULOS
MARK GEARAN
DAVID DREYER
BILLY WEBSTER

FROM: PHIL CAPLAN 

SUBJECT: Your thoughts on the Human Radiation experiments investigation.

To: Phil
Fr: George S.
Assessing POTUS with
final report is good idea?
What else is possible?


Attached are two recent front page articles you may have seen about the efforts of the Advisory Committee on Human Radiation Experiments, including yesterday's *Washington Post*.

When this story broke last Christmas, Christine Varney and I were the primary WH staff convening the interagency meetings, setting up the Advisory Committee and handling the politics. Over the past year I have continued to spend a significant amount of time each week on the care and feeding of the Committee, working with the agencies to ensure that they are responsive to the Committee and dealing with other issues as they arise.

This story continues to resonate with the national media. In my opinion, they stay interested for several reasons: the human and often tragic nature of the experiments, the uncovering of Cold War-era "secrets," and the "big brother" nature of the federal government's role. The wire services and local and regional press also write frequently about the issue.

In most of the stories, the President usually gets a paragraph or two of credit for initiating this investigation. It seems to me that this may be an issue to which the President could be, if you wish, more closely tied -- compassion for those who have been harmed; leadership in righting the wrongs of the past, uncovering this "secret" story.

The Committee's six-month report came out last month. The final report is due out in April, but it may slip until May. The Committee, which operates under FACA, meets at least once a month in D.C. There are a few issues which I continue to monitor -- compensation for victims, the vacancy on the Committee, some declassification problems -- but everything seems to be moving along well.

I know that this effort is not topical news (the stories seem to run on the weekends), but I wanted to at least bring it to your attention. It has been successful so far and there may be additional opportunities. The long-range option is for the President to participate in the final release of the report in April or May. In the short-term the President could, for example, meet with some victims, or receive a briefing from the Committee.

If you think this may have value, I would be happy to come up with proposals. Or, in the alternative, if you think we should leave well enough alone and address the issue in the spring, then I'll continue to do what I'm doing.

I would welcome your thoughts and input.

Thank you.

Prisoner Irradiation Probed

Tests Were Among Riskiest of Cold War Era

By Gary Lee

Washington Post Staff Writer

PORTLAND, Ore.—On Sept. 29, 1965, Harold Bibeau walked out of his cell at Oregon State Prison and onto center stage in one of the darker dramas of American Cold War history.

Summoned to a prison laboratory, the 23-year-old inmate lay down in a coffin-like box and lowered his testicles into water. Then, researchers deliberately exposed them to a dose of radiation stronger than 20 modern diagnostic X-rays would give.

The experiments were part of a decade-long research project in the 1960s and 1970s, using prison inmates here and in Washington state. Funded by the Atomic Energy Commission, forerunner of the Department of Energy, and followed with interest by scientists from the Na-

tional Aeronautics and Space Administration, the tests were designed to help determine how much radiation U.S. astronauts could bear during spaceflights, according to federal officials familiar with them.

In all, testicles of more than 130 prisoners in the two states were irradiated. Participation was voluntary, and the prisoners received small stipends and other cash payments for undergoing the tests but, today, some of the former inmates say they were unaware of the long-term risks.

The experiments have drawn some attention in the past, in a lawsuit by 20 former prisoners in 1976 and in a 1986 congressional study. But detailed information about the experiments was buried until recently in classified documents and confidential papers. This report is based

See PRISONERS, A42, Col. 1

on interviews with surviving participants, prison officials and medical researchers, as well as federal records.

On Monday, in an attempt to shed further light on the prisoner studies, the Advisory Committee on Human Radiation Experiments, appointed by the White House, is scheduled to hold a field hearing in Spokane, Wash. The 14-member committee, appointed after Energy Secretary Hazel R. O'Leary brought the issue of federal radiation tests on humans to national attention last year, is charged with determining whether financial compensation, medical tests or other kinds of follow-up should be given to participants.

Of the hundreds of federally sponsored Cold War research projects involving deliberate human exposure to radiation, including a series involving retarded children in Boston and another using aborted fetuses in Chicago, the prisoner studies stand out as some of the most shocking. The testicles are especially sensitive to radiation damage because they contain rapidly dividing cells that produce sperm.

Damage to chromosomes in the cells of a man's testicles can cause infertility, raise the risk of testicular cancer and increase the chances his children will have birth defects.

Using an X-ray device, researchers beamed varying doses of radiation on the prisoners' testicles. They later took biopsies to determine the effect of the irradiation. An article published in a scientific journal by researchers who conducted the tests said some of the prisoners were exposed to much as 640 rads, a potentially fatal amount if spread over the whole body.

Bibeau's dose was 18½ rads; an average modern X-ray ranges between 0.1 and 1 rad.

The Washington state experiments were halted in 1970, and the Oregon experiments ended in 1973. As details have emerged, a handful of surviving participants have come forward with a list of medical problems, including prostate cancer, loss of vision and vascular diseases, some of which may have resulted from the experiments.

Phillip King, 54, who took part in the tests in 1969 as a state prison inmate in Salem, Ore., complains of groin pains so severe he sometimes has trouble sitting down. Robert Garrison, 54, another former Oregon inmate who recalls repeated radiation exposures over several weeks in the late 1960s, said he has had persistent rashes and a painful lump on his testicles. Bibeau reports lumps on his upper thigh and back. Another participant reported one of his testicles became attached to his scrotum as a result of one of the biopsies.

The participants also express anger about their use as guinea pigs and the lack of adequate medical follow-up.

"We can be blamed for being duped, but nobody ever sat us down and explained what the tests were all about and what the complications were," Garrison said. "But worst of all is the deceit that we've been subjected to afterwards. I can't even get a doctor to diagnose my problems, let alone give me treatment for them. I shouldn't have to scream to get some kind of results. I'm a human being too."

"I took part in the tests and now I'm in a lot of pain," said King, who works at odd jobs in Portland. "I don't know what I'm owed, but I think I'm owed something."

Some of the prisoners have also experienced psychological problems, said Catherine Knox, director of health services for Oregon's Department of Correction. "Apparently, no one thought about the effect it would have on prisoners to have their testicles irradiated," she said. As a result, "some have had questions about their sexual orientation," she added.

Most of the former prisoners interviewed have worked to establish new lives and to steer clear of further trouble with the law. Bibeau is married and has a 10-year-old son. Garrison, originally jailed for armed assault, is a grandfather who runs his home-maintenance business.

Hearing to Probe Radiation Tests on Prisoners

THE WASHINGTON POST

SUNDAY, NOVEMBER 20, 1994

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They gave various reasons for volunteering for the experiments. For Hill, it was a chance to earn extra cash.

Besides the \$5-a-month stipend, participants received extra cash for biopsies and for undergoing a vasectomy, recommended by researchers to prevent them from having children because of the risk of birth defects from their radiation exposure.

For Bibeau, a former soldier, it was a chance to perform a patriotic duty. "I was just told that it was a way to serve my country even though I was in prison," he said. "And I bought it."

The experiments involving prisoners in radiation tests—and other research using mental patients, members of racial minorities, pregnant women and other vulnerable subgroups of the American population—have raised questions about the ethical standards used by researchers at the time.

"A reasonable person looking at the experiments now would conclude that they were ethically wrong," said John Fletcher, a professor of biomedical ethics at the University of Virginia Medical School. "At that time, however, the ethos among researchers was differ-

ent," Fletcher said. "It was nationalistic, and well-funded, and there wasn't much scrutiny."

"In order to justify using prisoners, the researchers would have had to make a determination that they are somehow less than human or less important than the general population," said Dianne Bartels, acting director of the Center for Biomedical Ethics at the University of Minnesota. Fletcher pointed out that until the mid-1960s, few rules

restricted medical researchers from designing experiments. And it was considered acceptable to subject prisoners, mental patients or members of minority groups to risks that were not imposed on the general population.

Since 1966, all National Institutes of Health-sponsored research projects must be approved in advance by an independent review board. Rules passed in 1978 bar use of prisoners in any medical experiments

that do not benefit them. Because prisoners are a captive population, they are not regarded as being in a position to give informed consent, Fletcher noted. Fletcher, who feels the experiments were wrong even at the time, said, "In today's world, they would not be possible." Convicted of killing a man who tried to molest him in 1963, Bibeau was sentenced to 12 years in an Oregon state prison. In 1964, a fellow prisoner encouraged him to join the radiation program.

Carl G. Heller, a medical researcher at the Pacific Northwest Research Foundation in Seattle, who was one of the developers of the birth control pill, began the radiation program in Oregon in the early 1960s. The brother of Walter W. Heller, top economic adviser to President John F. Kennedy, Heller was well-known in the U.S. medical community. He died in 1982. C. Alvin Paulsen, a researcher at the University of Washington, oversaw parallel experiments in Washington. Paulsen and Mavis Rowley, a former assistant to Heller, declined to be interviewed for this article, or to appear at the federal hearings in Spokane Monday.

More than three decades after his participation, Bibeau, 52, now a designer and draftsman living in Portland, recalls the experiments in detail. He remembers Heller for his persuasive manner and wing-tipped shoes. He recollects the \$5-a-month stipend he received was spent on cigarettes,

razors and candy. Above all, Bibeau recounts in detail the burning sensation he felt in his groin after receiving the radiation. "It was warm down there," he said, "like I had been laying out in the sun for too long."

Bibeau and other participants were asked to provide urine and semen samples to the researchers. After the radiation exposure, the subjects were also subjected to regular biopsies.

Bibeau recalls Heller warned him the experiments could result in "a burning feeling" for a couple of days and told him it was possible there might be "chromosomal complications." Bibeau had a vasectomy on Heller's recommendation. When he eventually married and wanted children, his wife underwent artificial insemination. "To this day I have no idea what chromosomal complications are," Bibeau said. "How can you have informed consent if you don't know what's happening to you?"

In a 1976 deposition for a lawsuit brought by some Oregon inmates who took part in the experiments, Heller testified he "discussed the possibility of radiation burn to the skin of the scrotum, and ... discussed the probability of chromosomal alterations and therefore, the vasectomy."

He also testified he mentioned "possibility of tumors of the testes. I didn't want to frighten them," Heller said in his testimony, "so I said tumor. I may on occasion have said cancer." A total of about \$6,000 was distributed to prisoners in settling the suit.

About half the 131 participants have died, Knox said. A handful are still imprisoned at both participating institutions. In 1987, the Oregon legislature passed a statute to provide follow-up tests to all survivors of Heller's experiments.

James Ruttenber, an assistant professor at the University of Colorado Medical School, designed a protocol for the follow-up work. Ten participants have received checkups, Knox said, but the program has failed to receive funding.

"Time is running out for participants to receive medical attention," Ruttenber said. "For some it may already be too late."

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

THE NEW YORK TIMES,

WEDNESDAY, OCTOBER 12, 1994

By PHILIP J. HILTS

Special to The New York Times

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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:

"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.

At the time, the documents suggest, being the subject of experiments was counted as one of the expected hazards of military life and training — not unlike subjecting sol-

diers to live fire in training exercises — and was not considered to be human experimentation.

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.

One of the most important bits of history found in the hundreds of thousands of documents so far received by the committee, Dr. Faden said, is that a fixture of current ethical debates — whether it is possible to offer a patient honest treatment and experiment on him at the same time — appears to have been a consideration in even the earliest documents of cold war experiments.

An Atomic Energy Commission memorandum dated April 17, 1947, recommends that human experimentation not be made public. "It is desired that no document be released which refers to experiments with humans and might have an adverse effect on public opinion or result in legal suits," it says. "Documents covering such work in this field should be classified 'secret.'" The memorandum was also classified secret.

Seeking Tests On Human Beings

In the fall of 1947 the A.E.C., which later became the Nuclear Regulatory Commission, established a division of biology and medicine and the Advisory Committee on Biology and Medicine, made up of outside experts, to consider future human and animal experimentation.

Two years earlier, 18 patients — the subjects of The Albuquerque Tribune article — were injected with plutonium to help track its course in the body. The committee has found that in 1947 the military proposed that more systematic studies be conducted. While this was disapproved, some individual experiments, including the injection of radioactive material into humans, continued in June and July 1947.

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 "thoroughly convinced that the

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an increasingly dim view of human experimentation."

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

In 1949 a group called the Joint Panel on the Medical Aspects of Atomic Warfare was created to oversee the atomic-related research in the Defense Department. In the minutes of a meeting of the panel, it was noted that if ethical rules were adopted, "then obviously a great deal of our present human tracer studies must be discontinued." Tracer studies involve injecting minute amounts of radioactive chemical to track the biochemical pathways of the chemical's metabolism in the body.

The minutes also noted that there were "ethical and medico-legal objections to the administration of radioactive materials without the patient's knowledge or consent." And it said there would be a greater culpability of the Government "if a Federal agency condones human guinea pig experimentation."

The Defense Department tried to initiate experiments using atomic isotopes to conduct total-body irradiation experiments on healthy human subjects. Officials of the A.E.C., chiefly Dr. Warren, protested, but soon relented.

Since the A.E.C. controlled the supply of radioactive materials, Dr. Warren was apparently able to block some of the worst experiments, which called for total body irradiation of healthy subjects.

But some researchers were able to get around the commission's objections. Hundreds of people were irradiated, primarily at universities, by using cancer patients who presumably might have benefited, or at least whose lives would not be greatly shortened by the experiments.

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 experiments was carried out.

One of the experiments, called Operation Upshot-Knothole, included, "Subjecting 12 human volunteers and 700 rabbits to the initial light flash from six atomic detonations to investigate its effect on the visual function of the human eyes and to determine the burn injury processes in the dark-adapted rabbit eye," military records show.

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.

Another test was designed to see how well soldiers could perform after exposure to the flash of atomic detonations at night. "Human volunteers were dark-adapted in a light-tight trailer approximately 10 miles from the detonation. Their eyes were exposed to the flash. Some eyes were protected by a red filter, and some were unprotected."

The notes on the experiment said, "The project was terminated after Shot 4 in order to evaluate the significance of lesions of the retina which were produced in two of the subjects."

About 42 officers were included in a "selected volunteer program" in which they watched an atomic blast from 2,000 yards away. In other experiments, troops were brought to within 5,000 or 7,000 yards of ground zero to watch atomic explosions, and were then marched to the site of the explosion just after the bomb had gone off.

It is not yet known what happened to the subjects of these and other experiments.

In February 1953, after eight years of experiments without a consistent set of rules to govern them, Charles E. Wilson, then Secretary of Defense, prepared a memorandum saying that volunteers should be used as the only "feasible means for realistic evaluation and/or development of effective preventive measures of defense against atomic, biological or chemical agents." The memorandum added, "The voluntary consent of the human subject is absolutely essential."

It recommended using the Nuremberg Code which, if actually applied, would be stricter than current practices because it required detailed explanations of the hazards of experiments regardless of any claimed benefits, and allowed the subjects to terminate experiments at any moment. But these guidelines remained so highly classified that few if any people below the secretaries of the Army, Navy or Air Force were aware of them.

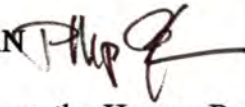
Staff members of the advisory committee said this created the zen-like question, "What is the effect of adopting ethical guidelines which are then kept top secret?"

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razors and candy. Above all, Bibeau recounts in detail the burning sensation he felt in his groin after receiving the radiation. "It was warm down there," he said, "like I had been laying out in the sun for too long."

Bibeau and other participants were asked to provide urine and semen samples to the researchers. After the radiation exposure, the subjects were also subjected to regular biopsies.

Bibeau recalls Heller warned him the experiments could result in "a burning feeling" for a couple of days and told him it was possible there might be "chromosomal complications." Bibeau had a vasectomy on Heller's recommendation. When he eventually married and wanted children, his wife underwent artificial insemination. "To this day I have no idea what chromosomal complications are," Bibeau said. "How can you have informed consent if you don't know what's happening to you?"

In a 1976 deposition for a lawsuit brought by some Oregon inmates who took part in the experiments, Heller testified he "discussed the possibility of radiation burn to the skin of the scrotum, and . . . discussed the probability of chromosomal alterations and therefore, the vasectomy."

He also testified he mentioned "possibility of tumors of the testes. I didn't want to frighten them," Heller said in his testimony, "so I said tumor. I may on occasion have said cancer." A total of about \$6,000 was distributed to prisoners in settling the suit.

About half the 131 participants have died, Knox said. A handful are still imprisoned at both participating institutions. In 1987, the Oregon legislature passed a statute to provide follow-up tests to all survivors of Heller's experiments.

James Ruttenber, an assistant professor at the University of Colorado Medical School, designed a protocol for the follow-up work. Ten participants have received checkups, Knox said, but the program has failed to receive funding.

"Time is running out for participants to receive medical attention," Ruttenber said. "For some it may already be too late."

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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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:

"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.

At the time, the documents suggest, being the subject of experiments was counted as one of the expected hazards of military life and training — not unlike subjecting sol-

diers to live fire in training exercises — and was not considered to be human experimentation.

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.

One of the most important bits of history found in the hundreds of thousands of documents so far received by the committee, Dr. Faden said, is that a fixture of current ethical debates — whether it is possible to offer a patient honest treatment and experiment on him at the same time — appears to have been a consideration in even the earliest documents of cold war experiments.

An Atomic Energy Commission memorandum dated April 17, 1947, recommends that human experimentation not be made public. "It is desired that no document be released which refers to experiments with humans and might have an adverse effect on public opinion or result in legal suits," it says. "Documents covering such work in this field should be classified 'secret.'" The memorandum was also classified secret.

Seeking Tests On Human Beings

In the fall of 1947 the A.E.C., which later became the Nuclear Regulatory Commission, established a division of biology and medicine and the Advisory Committee on Biology and Medicine, made up of outside experts, to consider future human and animal experimentation.

Two years earlier, 18 patients — the subjects of The Albuquerque Tribune article — were injected with plutonium to help track its course in the body. The committee has found that in 1947 the military proposed that more systematic studies be conducted. While this was disapproved, some individual experiments, including the injection of radioactive material into humans, continued in June and July 1947.

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

an increasingly dim view of human experimentation."

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

In 1949 a group called the Joint Panel on the Medical Aspects of Atomic Warfare was created to oversee the atomic-related research in the Defense Department. In the minutes of a meeting of the panel, it was noted that if ethical rules were adopted, "then obviously a great deal of our present human tracer studies must be discontinued." Tracer studies involve injecting minute amounts of radioactive chemical to track the biochemical pathways of the chemical's metabolism in the body.

The minutes also noted that there were "ethical and medico-legal objections to the administration of radioactive materials without the patient's knowledge or consent." And it said there would be a greater culpability of the Government "if a Federal agency condones human guinea pig experimentation."

The Defense Department tried to initiate experiments using atomic isotopes to conduct total-body irradiation experiments on healthy human subjects. Officials of the A.E.C., chiefly Dr. Warren, protested, but soon relented.

Since the A.E.C. controlled the supply of radioactive materials, Dr. Warren was apparently able to block some of the worst experiments, which called for total body irradiation of healthy subjects.

But some researchers were able to get around the commission's objections. Hundreds of people were irradiated, primarily at universities, by using cancer patients who presumably might have benefited, or at least whose lives would not be greatly shortened by the experiments.

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 experiments was carried out.

One of the experiments, called Operation Upshot-Knothole, included, "Subjecting 12 human volunteers and 700 rabbits to the initial light flash from six atomic detonations to investigate its effect on the visual function of the human eyes and to determine the burn injury processes in the dark-adapted rabbit eye," military records show.

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.

Another test was designed to see how well soldiers could perform after exposure to the flash of atomic detonations at night. "Human volunteers were dark-adapted in a light-tight trailer approximately 10 miles from the detonation. Their eyes were exposed to the flash. Some eyes were protected by a red filter, and some were unprotected."

The notes on the experiment said, "The project was terminated after Shot 4 in order to evaluate the significance of lesions of the retina which were produced in two of the subjects."

About 42 officers were included in a "selected volunteer program" in which they watched an atomic blast from 2,000 yards away. In other experiments, troops were brought to within 5,000 or 7,000 yards of ground zero to watch atomic explosions, and were then marched to the site of the explosion just after the bomb had gone off.

It is not yet known what happened to the subjects of these and other experiments.

In February 1953, after eight years of experiments without a consistent set of rules to govern them, Charles E. Wilson, then Secretary of Defense, prepared a memorandum saying that volunteers should be used as the only "feasible means for realistic evaluation and/or development of effective preventive measures of defense against atomic, biological or chemical agents." The memorandum added, "The voluntary consent of the human subject is absolutely essential."

It recommended using the Nuremberg Code which, if actually applied, would be stricter than current practices because it required detailed explanations of the hazards of experiments regardless of any claimed benefits, and allowed the subjects to terminate experiments at any moment. But these guidelines remained so highly classified that few if any people below the secretaries of the Army, Navy or Air Force were aware of them.

Staff members of the advisory committee said this created the zen-like question, "What is the effect of adopting ethical guidelines which are then kept top secret?"

Human Radiation Experiments Clips

**Advisory Committee Final
Report Public Release**

95 OCT 23 A 9 : 29

Radiation patients search for answers

Critics say panel 'botched' study

By MICHAEL SZNAJDERMAN
Tribune Staff Writer

WASHINGTON — For years, Eugene Wojtas of Land O' Lakes has suffered "wild" headaches so painful he must shutter himself in a dark room, his forehead draped with hot or cold compresses, while he waits for relief.

He likens the pain to the searing strobe lights of a jumbo jet, blasting through his brain in shades of blue, lavender and yellow, making him sick to his stomach.

"The doctors tell you it's not supposed to happen," said the 72-year-old retiree. "How the hell do they know it's not supposed to happen?"

The headaches are just one of his many medical problems Wojtas cannot explain: He's had two heart attacks, a stroke and prostate cancer and suffers from degenerative arthritis. But as he ponders his health, he always returns to a peculiar treatment he received at the end of World War II while serving as a pilot at an Army Air Forces base in Tampa.

It was called nasopharyngeal irradiation, and it was not pleasant. Laid out flat on his back, Wojtas had to stay perfectly still while doctors slipped two metal rods, tipped with radium capsules, into his nos-

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Radiation treatment questions unresolved

■ From Page 1

trils. He went through the 8½-minute routine twice.

At the time, the procedure was considered a cutting-edge way to treat pilots and submariners with inner ear problems.

But 50 years later, a debate is raging about what to do, if anything, for the hundreds of thousands — and perhaps millions — of people who went through the procedure in the military and elsewhere during the 1940s, '50s and early '60s.

Wojtas was one of more than 1,300 adults and children who were given radium treatments at the old Drew Field in Tampa. He had hoped for direction last week, when after two years of study a special presidential panel examining the government's role in human radiation experiments released its final report. Nasal radium treatment was one of the few therapeutic uses of radiation the panel included among the 4,000 Cold War-era experiments it reviewed.

But while the panel agreed many of those who underwent radium treatments have a greater risk of developing brain, head or neck cancers, they decided against recommending notification or any medical follow-up.

That conclusion already is drawing fire from some radiation experts and physicians, who say the panel underestimated the risk and misstated the potential benefit of screening people who went through the procedure.

"They really botched this thing," said Stewart Farber, a Rhode Island-based public health specialist who has long urged further study of those who were given radium treatments.

"The decision not to study this is extraordinary. It's just amazing," said Alan Ducatman, a physician at the West Virginia School of Medicine who also has been following the issue.

Wojtas was doubly disappointed to learn that the Department of Veterans Affairs is retreating from its initial plan to conduct its own examination into the procedure. Last month, the VA reported that it could not find enough old medical records to conduct a

Ruth Faden, the Johns Hopkins University bioethicist who headed up the president's panel, said the recommendation was based on current evidence: that decades after the radium treatments were discontinued, the cancer risk to most of the people who went through the procedure is relatively low.

She said there also is a general consensus that even if there were a way to effectively and economically screen those who went through the procedure, it likely would offer little benefit to the patients. But should that consensus change, there might be grounds to notify people.

"Our view is we're not there yet," Faden said. "But reasonable people can disagree."

That's what a growing number of professionals already are doing with the panel's recommendation. For example:

■ The panel examined only the potential cancer risk connected with the nasal radium

treatments. Some experts say the treatments could pose an even greater noncancer risk to organs such as the thyroid and pituitary gland.

■ The panel said there is "neither an accepted nor recommended screening procedure" for head and neck cancers. That statement is disputed by a number of radiation oncologists and brain tumor experts, although they acknowledge that screening can be very expensive.

Ducatman said the advisory panel has not addressed the issue of nasal radium treatments completely. He said the uncertainties about the long-term risks, and the sheer number of people who may have received treatments, demand further study.

According to a new estimate by the U.S. Centers for Disease Control and Prevention, 500,000 people, and maybe significantly more, were given radium treatments. CDC officials also are examining the issue, and whether to issue notification to doctors.

Elfi Glatstein, a radiation oncologist and member of the president's panel, said he believed those who went through radium treatments should be monitored. But to do a comprehensive study so many years after the procedure would be difficult and prohibitively expensive.

CONTINUED

RADIATION TREATMENT CONTINUED

Henry Royal, a radiologist and member of the panel, said people who have a medical problem of any kind should see a doctor. But the key question facing the panel was what to do about people who have no symptoms.

"One way government loses trust is by promising things it cannot do," Royal said. He said it would have been wrong, based on existing evidence, to tell well people there was a great risk and to seek medical assistance.

That explanation doesn't appease Cherie Anderson, 51, who directs the group Survivors of Medical Radiation Experiments. She was 6 when she received four radium treatments at Travis Air Base in California. Since then, she has lost most of her teeth and been treated for breast and thyroid tumors, as well as other serious medical problems.

Children suffering from chronic ear infections were by far the largest group who received radium treatments, both at military facilities and in private doctors' offices. The procedure eventually was abandoned in favor of antibiotics, and because of concerns about radiation.

A study published in 1982 by the National Cancer Institute showed a slight increase in head and neck cancer among a group of schoolchildren who went through radium treatments from 1943 to 1960. But many experts say further study is needed to confirm the findings.

Anderson said her California-based group and other advocates plan to urge President Clinton and federal officials to reject the advisory panel's recommendations. She said the government should launch a formal study, as well as notify people who went through radium treatments, so that they can be examined.

"What they [the panel] said was unconscionable. It's an outrage," Anderson said.



NEIL MCGAHEE/Tribune photo

Eugene Wojtas cannot help wondering whether his health problems are linked to radiation treatments he received as an Army Air Forces pilot during World War II.

Radiation panel outraged over human tests

By Mary Manning

LAS VEGAS SUN

The Advisory Committee on Human Radiation Experiments harshly criticized past practices of the federal government that led to the use of unwitting American citizens as human guinea pigs in radiation experiments.

President Clinton apologized last week for the secret Cold War radiation experiments that used people at the Nevada Test Site and other institutions.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said as he accepted the findings of his advisory panel, which spent 18 months listening to testimony and gathering millions of documents.

After reviewing 4,000 human radiation experiments conducted or funded by the U.S. Department of Energy or its predecessor, the Atomic Energy Commission, from 1944 to 1974, panel members expressed outrage over the cloak of secrecy thrown over women, children, prisoners, workers and mentally incompetent patients caught up in the experiments.

Information about certain experiments was kept secret out of concern for embarrassment to the government, potential legal liability and worry that the public would misunderstand and jeopardize government programs, the committee concluded.

For example, military volunteers exposed to the bright flash of atomic experiments at the Nevada Test Site in the 1950s may be compensated, the committee concluded. Committee staff discovered documents

that said two of those volunteers went blind.

More than 200 intentional releases of radiation took place in secret and remained hidden for decades. Radiation released from Hanford, Wash., blew across state lines as well as radiation exposure to troops at the Nevada Test Site.

"What most troubled the committee was the lack of respect for the American people that seemed to permeate the conduct of research," said Ruth Faden, committee chairwoman and whose parents survived the Nazi concentration camps.

"The period we examined was defined by arrogance," she said.

Faden, who is director of the Bioethics Institute at Johns Hopkins University and a scholar at the Kennedy Institute of Ethics at Georgetown University, criticized government officials of the era.

"It is clear that federal officials involved in radiation research were managing the release of information to make sure that the public image of the nuclear enterprise would be positive," she said. "In some cases, this amounted to deception and withholding of the truth, which the committee found deeply troubling."

VA boss wants studies on exposed troops

By Mary Manning

LAS VEGAS SUN

Jesse Brown, secretary of Veterans Affairs, said he will appoint an interagency working group to focus on regulations and studies concerning troops exposed to radiation during experiments at the Nevada Test Site and the Pacific Islands.



"I am relieved that our exhaustive search has not identified any veteran who had been wronged as a result of VA treatment ..."

Jesse Brown
Veterans Affairs

The working group's members will be chosen by Brown from the VA, with the Departments of Health and Human Services and Defense.

"When I first heard reports that government-sponsored research involving human subjects and radioactive materials may have been conducted in an inappropriate manner in the 1940s and 1950s,

I believed that the VA needed to act swiftly to determine if any veterans had received inappropriate treatment or diagnostic techniques, or were involved in research that may have harmed them in any way," Brown said.

The working group will update radiological and epidemi-

ological tables that the VA has been using to decide whether veterans exposed to radiation in the service - or their survivors - are entitled to compensation for resulting disabilities, diseases or deaths, Brown said.

A report recommending legislative and administrative changes is expected by spring 1996.

The VA has also responded to more than 1,700 inquiries forwarded by the U.S. Department of Energy or from other sources about radiation exposure at VA medical facilities.

"I am relieved that our exhaustive search has not identified any veteran who had been wronged as a result of VA treatment or research involving radioactive materials," Brown said.

The VA determined that almost all VA radiation research was conducted exclusively for medical purposes, either to improve diagnosis or treat diseases, Brown said.

Nasal radium warning

By Lawrence Spohn
THE ALBUQUERQUE TRIBUNE

A committee investigating human radiation experiments should recommend that the government warn people exposed to nasal radium treatments decades ago that they are at risk of cancer and other diseases, a scientist says.

The failure of the President's Advisory Committee on Human Radiation Experiments to do so amounts to disregard of thousands of lives, Stewart Farber said.

Farber is a Rhode Island radiation health physicist who brought the problem to light several years ago.

"It's a really shoddy example of public-health policy in action," Farber said.

Steve Klaidman, spokesman for the advisory committee in Washington, D.C., said he rejected Farber's assertions "wholeheartedly."

Klaidman said the release of the committee's report, expected next month, "is a kind of public notification, if not a medical one."

Notification wouldn't do much good, Klaidman said, because little could be done to prevent the cancers from developing or to treat them after they did.

"A lot of this is based on whether you can detect early signs of the condition (such as brain cancer) at a time when that does any real good," Klaidman said.

Nasal radium treatment involved inserting radium-tipped rods in a patient's nose to burn out or shrink the adenoids and lymphoid tissues.

Once used to treat mild deafness, the procedure also was used to treat nasal infections in civilians and among Army Air Force pilots and Navy submariners who had problems adjusting to pressure changes.

The treatment gained widespread acceptance in the military during World War II after government experiments showed it was successful. It was used by ear, nose and throat specialists for about 30 years after the war to treat a variety of ailments, including chronic nasal infections.

From 200,000 to 400,000 civilians are believed to have received nasal radium treatments.

A study at Johns Hopkins Medical Center said radium exposures were linked to an increased risk of head and neck cancers and thyroid disease.

Farber's own recent calculations suggest that between 274 and 2,097 people are at serious risk of cancer from the treatments. Many others are at risk of thyroid disease, he said.

At a conference at Yale University this week on nasal radium, Farber planned to speak about radium treatments, criticize the committee's report and move doctors and government officials to action.

Scientist forms program for nasal-radium victims

10/6/95 (T)
By Lawrence Spohn
TRIBUNE REPORTER

B-7

A scientist who raises questions about the potential health risks to what may be millions of Americans who received nasal radium treatments has organized a project to identify and help them.

Rhode Island health physicist Stewart Farber said that the Radium Experiment Assessment Project "will provide a central focus and act as a clearinghouse," for information on people who received the nasal irradiation treatments from the 1940s through the 1960s.

Farber said he's worried that people, including children, who had radium-tipped rods place up their noses decades ago are at risk of cancer and thyroid disease.

This week Farber was among scientists and health professionals who challenged the recommendations of a presidential committee that investigated the treatments.

The President's Advisory Committee on Human Radiation Experiments said Tuesday that no effort should be made to identify or assist those at risk from nasal radium.

"I have organized (the project) to be an independent, honest, and ethical program for the identification, and medical surveillance of the radium nasal irradiated people in both the veteran and general populations," Farber said.

Farber has documented that more than 7,000 Army Air Force and Navy submariners got experimental nasal radium treatments during World War II. He estimates that between 20,000 and 35,000 servicemen subsequently may have been exposed over several decades.

He also had estimated that between 200,000 to 400,000 civilians also were exposed. However, estimates by the Centers for Disease Control and Prevention last week bumped those numbers up to between 500,000 and 2.5

million people.

Ultimately, Farber hopes his project will build a database of those exposed to put further pressure on the government.

Kin of 'nuclear guinea pig' decry tests

Daughter thanks Clinton for apology on U.S. plutonium experiments

By Alexei Barrionuevo
Staff Writer of The Dallas Morning News p. 35A

Elmerine Whitfield Bell still finds it hard to believe that her father was injected with plutonium during the dawn of the Cold War — and remained the subject of secret government experiments until as late as 1986.

"We thought our father was not significant enough to be involved in this," Ms. Bell said Thursday.

But as she and her family learned three years ago, Elmer Allen — a railroad porter from the Pine County town of Italy — was one of 18 people given plutonium injections during federal research from 1945 to 1947.

On Thursday, Ms. Bell thanked President Clinton for issuing an apology this week to the victims — most of them still unidentified — and vowing to compensate them.

Her father died in 1991 at age 80 of pneumonia.

"We were always sure that he died unaware that he was ... one of America's human nuclear guinea pigs," said Ms. Bell, a teacher at Edison Learning Center in West Dallas.

U.S. Rep. Martin Frost, a Dallas Democrat who hosted Ms. Bell's news conference, condemned the government's actions and likened them to the Nazis' medical experiments.

"We were fighting against a society that experimented on humans," he said. "For our own country to be doing this ... is outrageous."

Mr. Frost said he will introduce a bill in Congress next week that would



Elmer Allen ... was one of 18 people given plutonium injections during federal research from 1945 to 1947.

create a \$25 million fund for experiment victims or their survivors. They would have the option of taking a \$50,000 settlement or pursuing private lawsuits, Mr. Frost said.

A federal advisory committee has recommended compensation for experiments in which people were injected with plutonium or zirconium or subjected to whole-body radiation.

Mr. Allen was injected with plutonium in July 1947 when he sought treatment at the hospital at the University of California at San Francisco for an injury to his left leg suffered in a fall from a train.

He consented to the plutonium in-

jection, believing he was receiving bone-cancer treatment, but never knew the federal government used him as a test subject, Ms. Bell said. And he never knew that scientists secretly referred to him by a number from that day forward: CAL-3.

Mr. Allen's injured leg was amputated three days after the injection — it's unclear whether the surgery was related to the experiment — and he spent the next 44 years in pain, his daughter said.

Most of the experiment subjects were terminally ill, the advisory committee reported. But four people injected with plutonium, including Mr. Allen, survived more than 30 years.

Mr. Allen, an alcoholic, always complained of illness, his daughter said.

"When he said he was in pain, I always thought it was something related to his lifestyle," Ms. Bell said.

When doctors from San Francisco called in 1973 urging Mr. Allen to go to Rochester, N.Y., for follow-up treatment, neither his family nor his doctor became suspicious, she said.

As late as 1986, the San Francisco hospital and a U.S. Energy Department lab in Chicago were inquiring about her father, Ms. Bell said.

"He was in the wrong place at the wrong time," Mr. Frost said. "He just happened to go for treatment at a facility where they were conducting these experiments."

"It is one of the saddest chapters in our nation's history."

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October 6, 1995

Light on nuclear darkness p. B8

For the thousands of Americans who were used unwittingly as human guinea pigs in Cold War-era nuclear radiation experiments, President Clinton's apology Tuesday on behalf of the government begins to right a terrible wrong.

For nearly 30 years, starting with the end of World War II, government-paid scientists conducted more than 4,000 radiation experiments using human subjects. The research was carried out for an important purpose: to determine the biological effects of radiation and find ways of using radiation for medical-beneficial ends. Many of the studies were conducted openly, with the results published in reputable journals, and most resulted in no harm to those involved.

But a presidential advisory committee has found that among the thousands of experiments were some that intentionally and secretly exposed populations or individuals to radiation without their consent. Often the subjects were those least able to stand up for themselves: minority group members, indigent patients, prisoners and institutionalized children.

The committee recommended in three cases that the subjects and their families receive both an apology and compensation for having been harmed by being injected with, or exposed to, radioactive material and not

told of the experiment. The committee found six other experiments, where subjects received concealed doses of radiation, in which compensation would be appropriate if further investigation shows medical harm.

Representatives of the radiation experiment subjects complain that the committee set an overly strict standard. Although no physical harm probably resulted, people and communities that were deliberately and unwittingly exposed to low levels of radiation have suffered a violation, if only of their trust.

The president was less grudging. He offered his apology to all those who had been subjected to secret experiments. Even more important, he pledged that the secrecy that Energy Secretary Hazel O'Leary and the presidential committee have pried open will not return.

Although the president's committee was not able to find in the government's voluminous files all the names of those who might have been involved in radiation experiments, it has created a guide for citizens, scholars and groups to continue the search. Only through full disclosure and appropriate compensation will this wound of deception, indifference and secrecy be healed.

Radiation Secrets

America's ATOMIC Fallout

The final chapter

Publicity, lawsuits kept government silent

A federal advisory committee
says the experiments were
morally wrong and inexcusable
and the government knew it

By Dennis Domrzalski
TRIBUNE REPORTER

Two years ago, some members of the scientific community tried to explain away plutonium injection experiments on unwitting Americans and the government-imposed secrecy that surrounded them.

They argued that medical and moral standards for obtaining consent from experiment subjects were different in the 1940s, and that details of the experiment had to be kept secret for national security reasons.

Two years later, it's a different story.

Taking blame

A presidential advisory committee that has investigated the experiments for the past year and a half says the experiments were morally wrong and inexcusable — even by the standards of the time. And the government covered up, not out of national security concerns, but out of fear of bad publicity and lawsuits, the committee found.

Documents concerning plutonium injections that were uncovered by the White House Advisory Committee on Human Radiation Experiments show that:

- Consent was not obtained from the subjects.
- Some of the subjects were misled and misinformed about the purpose of the injections.
- There was never any expectation that the subjects would receive a medical benefit from the injections.
- Mistakes were made in diagnosing the subjects' illnesses, so that some who did not have terminal illnesses were used in the experiments.
- Ethical standards in the medical community at the time would seem to have barred such experiments. Top officials of the old Atomic Energy Commission apparently were shocked when they learned of the injections and ordered a halt to the experiment.
- Suggestions to declassify information about the experiments were rejected out of fear of a "devastating lawsuit" against the government.

More experiments

The advisory committee also discovered other experiments were conducted by government scientists who worked for the war-time Manhattan Project that developed the atomic bomb.

One experiment, conducted at the University of Rochester in New York, included the injection of uranium into six human subjects for the purpose of determining what size dose would cause kidney damage. That experiment harmed some of the subjects, the report said.

And in an experiment conducted at Massachusetts General Hospital between 1953 and 1957, 11 people were injected with uranium. The experiment was an attempt to determine if uranium could help destroy brain tumors. Some of the subjects suffered kidney damage as a result of that experiment, the report said.

The advisory committee, which released its final report on Tuesday, was blunt in its assessment of the plutonium and first set of uranium experiments.

"... We believe that these experiments were unethical," the report says. "In the conduct of these experiments, two basic moral principles were violated — that one ought not to use people as a mere means to the ends of others and that one ought not to deceive others in the absence of any morally acceptable justification for such conduct."

"National security considerations may

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have required keeping secret the names of classified substances, but they would not have required using people as subjects in experiments without their knowledge or giving people the false impression that they or their family members had been given treatment when instead they had been given a substance that was not intended to be of benefit."

It made matters worse, the report said, that the subjects were hospitalized patients.

"Their being ill and institutionalized left them vulnerable to exploitation," the report said. "As patients, it would have been reasonable for them to assume that their physicians were acting in their best interests, even if they were being given 'experimental' interventions."

In April 1947, Atomic Energy Commission General Manager Carroll Wilson, after learning of the plutonium experiments, issued a directive that required documented consent of human experiment subjects.

The directive also required that there be some expectation of medical benefit to the subjects before human experiments could be conducted, the report said.

But the directive came too late for the patients injected with plutonium.

Eleven subjects had been injected at Strong Memorial Hospital in Rochester, N.Y., and three at the University of California in Berkeley. These subjects "were never told that the injections were part of a medical experiment for which there was no expectation that they would benefit, and they never consented to this use of their bodies," the report said.

In 1947, some Atomic Energy Commission officials suggested that plutonium experiment reports be declassified. But an AEC declassification officer rejected the suggestion, the report said. His reason was stated in a Feb. 28, 1947, memo:

"It is unlikely that these tests were made without the consent of the subjects, but no statement is made to that effect and the coldly scientific manner

in which the results are tabulated and discussed would have a very poor effect on the public."

The memo goes on to say that the experiments could expose the government and experimenters "to a devastating lawsuit which would, through its attendant publicity, have far-reaching results."

The report also noted that although it was the intent of scientists to use terminally ill patients for the injections, many non-terminally ill patients were used.

One was Ebb Cade, a 53-year-old African-American cement mixer for an Oak Ridge, Tenn., construction company. Cade had fractured an arm and a leg in a March 24, 1945, auto accident. He told his doctors that he had always been in good health, the report said.

Cade was injected with plutonium on April 10, 1945.

"Except for his fractures, Mr. Cade was apparently in good health and at age 53, could reasonably have been expected to live for another ten to twenty years," the report said.

"Thus, in Mr. Cade's case, the risk of a plutonium-induced cancer could not be ruled out."

Former Albuquerque Tribune reporter Eileen Welsome, who won a Pulitzer Prize for her 1993 series of articles on the plutonium experiments, said the advisory committee has more fully fleshed out the government's cover-up of the experiment.

"They have expanded on and exposed the magnitude of the cover-up," Welsome said.

The committee also has demonstrated that there were ethical standards in place at the time of the experiments, Welsome said.

"It indicates that there was not an ethical vacuum at the time, that this was an explosive issue even then, and that there were principles of informed consent, unlike what many scientists have claimed," Welsome said.

Nasal-radium victims want

10-4-95 (T) C-1
By Lawrence Spohn

TRIBUNE REPORTER

From coast to coast, victims of radioactive radium exposures, as well as their attorneys and advocates, criticized the conclusions of the White House Advisory Committee on Human Radiation Experiments.

Most called outrageous the committee's recommendation against the government trying to warn those who got nasal-radium treatments decades ago. The committee's report was delivered to President Clinton Tuesday.

"This is just adding insult to our injury," said Cherie Anderson, of Fairfield, California, who received nasal radium at Travis Air Force Base as a child.

Now 51 years old and suffering from a number of cancers and endocrine problems that she believes are related to the radium, Anderson said: "I am a human being. I am someone's daughter and someone's mother and grandmother.

"I am not just a number or statistic and would like to be able to grow old and see my children and grandchildren grow up," she said.

She called the advisory committee's position "outrageous and unconscionable." At a minimum, those exposed are entitled to be "located, identified, informed and followed medically," she said.

Across the country in Connecticut, Fran Keneally said those who were exposed to radium treatments should know. "I would want to know, if I didn't already," she said.

Keneally, who was exposed to radium by the same doctor who exposed thousands of Navy submariners, said she has suffered a lifetime of health effects from the procedure that she got as a child.

"They are going to try to end it there, but I don't think they will be able to," she said, expressing hope that Congress and the Centers for Disease Control and Prevention will take action soon.

Keneally, who last week served on a panel of experts discussing the issue at Yale University, said doctors and scientists now are just beginning to appreciate how many people were exposed and the health ramifications.

At the Yale conference, the CDC released es-

MORE INFORMATION

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timates that between 500,000 and 2.5 million Americans were exposed to nasal radium. Those estimates are much higher than previous ones.

In the procedure, which initially was used experimentally on more than 7,000 Navy and Army Air Force servicemen during World War II, a radium-tipped rod was placed up the nose and left there for several minutes.

It was prescribed to shrink the adenoids for a variety of ailments, from chronic ear and nose infections to problems equalizing ear pressure in pilots and submariners. Experts say the procedure rapidly gained acceptance after World War II based on Navy and Air Force experiments.

Keneally, 48, said she has suffered six miscarriages, the birth of a brain-injured son, pituitary cancer, hormonal upsets and severe thyroid problems.

Anderson said she has had several autoimmune disorders, thyroid tumors, breast cancer and loss of teeth.

A medical study has found increased risks of head and neck cancers and a near ninefold increase in thyroid problems among those exposed to nasal radium.

But in the report released Tuesday, the presidential panel said identifying those exposed to nasal radium wouldn't provide any medical benefit.

That's because there is no diagnostic test for brain cancer and no treatment, the report stated.

Anderson and others disagreed.

"It's a total contradiction," said Wally Cummins, a Washington, D.C., lawyer who is representing radiation experiment victims. "Clearly there is enough information here to say we need to take the next step.

"You have to search out and notify these people. Many of them do not know, can't know,"

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treatment

he said. "Some were children. It's just ludicrous. We can find these people. We should find these people."

George Gager, a congressional aide who was exposed to nasal-radium treatments, said the committee's problem was its focus "only on cancer and the military."

"They've focused on the military problems, but this really is about something that happened to a bunch of little kids," he said.

The treatments, he said, "hurt like hell" and "devastated" his life.

"It's the endocrine problems (pituitary and thyroid dysfunctions)," he said. "Believe me, they are affecting a lot of people. But their lives can be changed quickly and easily."

Gager said that after reading a news article about nasal radium two years ago, he saw a doctor about his continuing malaise, obesity and inability to even finish sentences.

"Within 24 hours (on artificial thyroid hormone) treatment, my life changed," he said. "Within 10 days, my life was dramatically different. Don't they want to help people like me?"

Gager's boss, Rep. Sam Gejdensen of Connecticut, is sponsoring legislation to assist exposed veterans. The government also must act to help all victims, regardless of how they were exposed, Gager said.

Gager, 48, was treated first as a 3-year-old and may have received as many as nine to 12 treatments, more than double the normal dose.

Stewart Farber, the Rhode Island radiation health physicist who first put the public spotlight on nasal radium, this week issued revised calculations of the health risks.

Based on the new CDC figures, he figures between 2,368 and 10,241 Americans will die of brain cancers because of the radium exposures.

But using the government's own independent risk model, developed by a panel of the National Academy of Sciences, he said these numbers are even larger: between 5,313 and 22,435 fatal brain cancers.

Farber called the presidential committee's stance a "poorly-based public health decision."

Committee report vindicates OR research

by Leo Williams
Oak Ridge staff

The report released this week on human radiation experiments appears to vindicate much of the work that took place in Oak Ridge while remaining silent on the remainder.

The Final Report of the Advisory Committee on Human Radiation Experiments outlines guidelines for providing apologies and compensation to the victims of human radiation experiments conducted by the Department of Energy or its predecessor agencies.

The committee's work was spurred by the discovery that several people had been injected with plutonium in the 1940s, including one man at the Army hospital in Oak Ridge. More broadly, its recommendations target experiments that were done without the subjects' knowledge and without thought to providing them with some therapeutic benefit.

With the exception of the wartime case, this did not apply to experiments conducted in Oak Ridge and mentioned in the report, according to Tara O'Toole, DOE's

“Some of those experiments carried out in Tennessee involved total body irradiation; all of the ones at Oak Ridge were done with the intent of trying to help the cancer patient being treated.”

— Tara O'Toole
DOE's assistant secretary for environment,
safety and health

assistant secretary for environment, safety and health.

A cancer research hospital was operated in the city between 1950 and 1974, with experimental treatments involving radiation and radioactive substances. The report discusses at least two of those experiments; in each case it discusses information provided to the patients and benefits the researchers hoped to bring to those patients.

“Some of those experiments carried out in Tennessee involved total

body irradiation; all of the ones at Oak Ridge were done with the intent of trying to help the cancer patients being treated,” O'Toole said.

The report refers to work carried out in Oak Ridge under DOE's predecessor, the Atomic Energy Commission. The experiments were conducted by the Oak Ridge Institute of Nuclear Studies, predecessor to Oak Ridge Associated Universities.

“There is evidence that at least one AEC-funded entity did routinely provide some form of disclosure

and consent in the early 1950s,” the report states. “From its opening in 1950 the AEC-sponsored Oak Ridge Institute for Nuclear Studies (ORINS), a research hospital, advised incoming patients that procedures were experimental. Additionally, patients were given written information that advised them the ‘probable benefit, if any, cannot always be predicted in advance.’ Patients were also asked to sign a form that indicated that they were ‘fully advised’ about the ‘character and kind of treatment and care,’ which would be ‘for the most part experiments with no definite promise of improvement in any physical condition.’ Thus, at least in the case of ORINS, and perhaps at other AEC facilities, a local process was instituted apart from any known communication of the statements by AEC officials.”

The reference backs up claims by officials at Oak Ridge Associated Universities that work at the research hospital was done with the informed consent of its patients. Those officials have bristled at their

See REPORT, Page 4A

REPORT: Also mentions use of gallium-72 at ORINS

Continued from Page 1A

work's being linked with experiments — such as those involving the injection of plutonium into subjects or the intentional release of radiation at the Hanford Site in Washington state — that clearly were not intended to help the people exposed.

The committee's report also men-

tions the use of gallium-72 at ORINS as an experimental treatment for bone tumors. That experiment was called off because the element was itself too toxic to be useful, but the report once again points to consent forms signed by subjects of the study.

According to O'Toole, other work at Oak Ridge, including several experiments at Oak Ridge National Laboratory, were not mentioned in the committee's final report.

Selling Peace to Peoria

BILL CLINTON made an entirely presidential appearance last Tuesday, but the world little noted it. He was speaking on grand themes appropriate for the day before Yom Kippur, the high holy day of repentance and atonement. He was speaking for the country and to the country. He was apologizing for the appalling government radiation experiments on mostly unwitting human beings. He spoke of the worldwide nuclear peace to come.

Very impressive—and all washed away two hours later by the announcement of O.J. Simpson's acquittal.

Still Clinton's speech could be a blueprint for campaign appearances to come. Peace is not a top topic now, but it always has vast potential. Nuclear peace, no matter what the Republicans, the Pentagon and the weapons laboratories say, is a winner. Thirty years ago in Utah, President John Kennedy was bowled over by the response he received to his mention of a partial test ban. President Clinton talks so little about the nuclear test ban treaty as to suggest he doesn't understand its punch. Maybe he will when Republican senators venture to resist its ratification. In the meantime, someone may persuade him that submerged issues rapidly surface when a president talks about them, and that size should be an

element in speech choices. For some reason, he prefers wonky references to obscure subsections of pending bills.

In Clinton's audience on Tuesday was Energy Secretary Hazel O'Leary, the administration's leading test-ban advocate. O'Leary was responsible for the gathering in the Executive Office Building. Her portfolio at the Energy Department includes the nuclear weapons program, and those who expected her to go along with the nuclear establishment have received several nasty jolts since her appointment.

O'Leary startled the young lions of the White House staff and everyone else when she boldly plunged into the radioactive area of the Cold War experiments on human subjects. Besides bringing a measure of simple human justice to long-hidden victims, she was suggesting that the Cold War is over and that excesses committed in the name of national security could not be forgiven or forgotten.

O'Leary followed up the first disclosures two years ago by

persuading the president to set up the Advisory Committee on Human Radiation Experiments. A distinguished panel of doctors, ethicists and scientists, headed by Dr. Ruth Faden, was assembled.

They were in attendance on Tuesday. So were a few of the surviving victims—including Fred Boyce, a man in his mid-forties who as a teenage student at the Fernald School in Cambridge, Mass., had been served radioactive Quaker Oats for breakfast. Wise men from Harvard, MIT and the Quaker Oats high command thought it might answer some of their questions.

E. Cooper Brown, the attorney for some 30 groups representing victims and their survivors, was thrilled by the president's speech—at the depth and breadth of the apology, to victims, their families and the country. (The committee had recommended apologies only to a select few.) But Brown thinks that medical follow-up and removal of the government's claim of sovereign immunity against court action would help even more.

Rep. Edward J. Markey, (D-Mass.), who in 1986, at the height of the Reagan arms buildup, released a report about the human radiation experiments and saw it completely ignored, promised that Congress would set about drafting legislation for compensation.

Clinton acknowledged O'Leary's contribution to the new sad sunshine for the sufferers and

of her critical advocacy for a nuclear test ban treaty, "which we believe we will achieve next year in no small measure thanks to [her] support." Throughout his remarks, Clinton repeated his most breathtaking promise—that people can "trust the American government to tell the truth and to do the right thing." He can expect to be held to that as the campaign unfolds.

Clinton held out a hope that any politician would find difficult to redeem. "Let these pages [of the committee's final report] serve as an eternal reminder to hold humility and moral accountability in higher esteem." Holding humility in any esteem would be stunning progress here. Accountability is something Clinton has often sought to out-run.

The next day Clinton went to New York and greeted Pope John Paul II, the self-described "pilgrim for peace," with the words of St. Francis of Assisi: "Lord, make me an instrument of Thy peace."

It's a line that could play very well in Peoria. Maybe Clinton has found his identity for his reelection campaign: the peace candidate. He need not worry about competition from any of his declared rivals. Their attitude is that the Cold War is not over, and they will build the weapons to prove it.

Mary McGrory is a Washington Post columnist.

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TRANSCRIPT

FOR DEPARTMENT OF ENERGY STATION WAGA TV
Fox Network
PROGRAM Good Day Atlanta at 6:00 AM CITY Atlanta, Georgia
DATE October 4, 1995 AUDIENCE
SUBJECT Human Experiments/Hazel O'Leary

BROADCAST EXCERPT

AMANDA DAVIS: President Clinton is ordering the government to compensate some Cold War radiation test subjects. A Presidential panel found that the three decades of testing often included subjects who did not give their clear consent.

PRESIDENT BILL CLINTON: When the government does wrong, we have a moral responsibility to admit it. The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from. Our government failed in that duty and it offers an apology to the survivors and their families. And to all the American people who must, who must be able to rely upon the United States to keep its word, to tell the truth, and to do the right thing.

DAVIS: Energy Secretary Hazel O'Leary plans to form a task force to review who may be eligible for this compensation.

SEATTLE POST INTELLIGENCER
Seatt. 1A, WA

OCT 08 1995

Human guinea pigs being left in the dark

The recommendation by a presidential panel that the federal government neither notify nor pay compensation to most of the people unwittingly used as human guinea pigs by their government in about 4,000 radiation experiments is wrong.

That's conveniently kissing off and thus excusing a travesty estimated to have been perpetrated upon tens of thousands of citizens by their government without their informed consent.

The issue is not whether they suffered a low or high risk of cancer as a result of their exposure to nuclear materials. The issue is that such behavior by government agents is intolerable in a democracy founded on consent of the governed. It cannot be winked at and forgotten because that simply would encourage more of the same.

Only three of the experiments, conducted between the mid 1940s to the early 1970s, were deemed so egregious as to warrant compensation. None of those three were experiments conducted in the Northwest, where prison inmates' testicles were irradiated, but the prisoners may be compensated if their health is shown to have been affected.

The only tests that outraged the panel enough to clearly qualify the victims for compensation involved 18 people injected with plutonium at the University of Rochester between 1945

and 1947, a patient injected with radioactive zirconium at the University of California in 1948 and 29 people who received doses of radiation throughout their bodies from 1942 to 1945.

The Veterans Department was quick to announce that it was giving itself a clean bill of health after an in-house review of its records. No one should be surprised at the findings:

"I am relieved that our exhaustive search has not identified any veteran who had been wronged as a result of VA treatment or research involving radioactive materials," said Secretary of Veterans Affairs Jesse Brown.

The announcement added that the agency "has determined that almost all VA radiation research was conducted exclusively for medical purposes" but failed to elaborate on those that were not for medical purposes.

It also said that the agency had concluded that a mysterious, confidential Atomic Medicine Division alluded to in old VA documents "was never activated" and thus never existed.

"VA also determined, based on discussions with former and current VA employees who were involved with radiation research before VA's formal consent policy was adopted in 1963, that patients were informed orally of the effects of the radiation and their consent was obtained."

That's a nice, blithe assurance. But it hardly puts all doubts to rest.

Clinton apologizes

WASHINGTON — President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation.

Most of the experiments involved the Atomic Energy Commission, the predecessor agency of the Department of Energy.

Clinton Apologizes for Radiation Tests

Experiments: Cabinet will study compensation for some victims and their families. About 4,000 secret studies through 1974 were disclosed.

A15

By MARLENE CIMONS
TIMES STAFF WRITER

WASHINGTON—President Clinton apologized Tuesday to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief—including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

Although the panel studied about 4,000 radiation experiments that took place during that period, it recommended that only a handful of victims receive compensation. Panel members specifically cited three experiments, including

one project where 18 hospital patients, most of them terminally ill, were unknowingly injected with plutonium to determine how long the substance would remain in their body.

The committee recommended that several subjects of total-body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

Nevertheless, Administration officials appeared to leave the door open for additional restitution. Energy Secretary Hazel O'Leary said in an interview that there could be "thousands, many thousands" of individuals who deserve payment but stressed that both the government and the panel have been hampered by poor or nonexistent record-keeping during that time.

Since her department's investigation began, "of the 10,000 calls we received, about 3,000 individuals gave us enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 50 names," she said.

In the case of the 18 subjects of plutonium injections, however, she said discussions regarding compensation would begin immediately with their families.

The experiment, conducted from 1945 to 1947, was deemed necessary at the time to assess the risks that workers faced when exposed to such materials. One patient was injected at Oak Ridge Hospital in Oak Ridge, Tenn., 11 at the University of Rochester, three at the University of Chicago and three at a University of California campus. It was unclear which facility was involved.

O'Leary said the funds would

come out of her department's budget. "We are ready and willing to begin a negotiation. One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Clinton also ordered a review of the procedures for government-sponsored research on humans and said he will create a bioethics advisory panel to police the research process to "see to it that never again do we stray from the basic values of protecting our people and being straight with them."

He acknowledged that medical and scientific progress "depends upon learning about people's responses to new medicines, to new cutting-edge treatments, . . . but there is a right way and a wrong way to do it."

The work began when many such studies were undertaken in secret to help understand radiation risks to workers involved in the development of the atomic bomb. This was long before it became standard practice to issue "informed consent" to medical research subjects, laying out the risks and benefits of participation.

Clinton said some of the experiments performed during that period "were unethical not only by today's standards but by the standards of the time. They failed both the test of our national values and the test of humanity."

The experiments "were shrouded not for a compelling reason of national security but for the simple fear of embarrassment, and that was wrong," he added.

The experiments ended in 1974, when the government recognized the need to protect human subjects and established regulations that govern human research.

DEPARTMENT OF ENERGY

Radiation Experiments

October 3, 1995 5:30 PM

BROADCAST EXCERPT

LINDA WERTHEIMER: President Clinton apologized today to American citizens who were victims of radiation experiments during the cold war, and said his administration will move quickly to compensate some of them. The President was acting on recommendations from a committee of historians, doctors and ethicists who reviewed experiments conducted between 1944 and 1974.

NPR's Richard Harris has the story.

RICHARD HARRIS: The expert committee assembled last year at the President's request sorted through thousands of human experiments involving radiation. Some experiments were related to the cold war and nuclear arms. Most were straightforward medical research.

In presenting the committee's conclusions to the President today, chair Ruth Faden said the committee found clear instances in which doctors and government officials misused their positions of trust.

RUTH FADEN [Committee Chair]: We have found that wrongs were indeed committed, first with experiments involving radiation and with intentional releases of radiation into the environment.

In the pursuit of peace and the advancement of medicine, certainly to laudable goals, the rights and interests of individuals and communities were sometimes ignored.

While the radiation doses in the experiments we studied were usually low, and officials and scientists were often concerned about risks, we do not believe that excuses the wrongs that were done.

HARRIS: The committee used case studies to suggest remedies for those wrongs. In the few instances where people were deliberately lied to about the experiments, even if no harm resulted, the committee recommended official apologies and compensation. That includes 18 people who were injected with plutonium without their knowledge and consent, so government scientists could determine acceptable exposure limits for nuclear weapons workers.

In the cases the committee considered less ethically questionable, they recommended apologies to all concerned and payment to anybody who was harmed as a result of the experiments. Examples cited by the committee included experiments in which cancer patients were exposed to non-therapeutic doses of radiation and in which prisoners volunteered to have their testicles exposed to a high dose of x-rays for a study on sterilization.

President Bill Clinton agreed that those people were mistreated by their government, which should have prevented such experiments.

PRESIDENT BILL CLINTON: Those who led the government when these decisions were made are no longer here to take responsibility for what they did. They are not here to apologize to the survivors, the family members or the communities whose lives were darkened by the shadow of the atom and these choices. So today, on behalf of another generation of American leaders and another generation of American citizens, the United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities.

HARRIS: Mr. Clinton directed members of his cabinet to set to work immediately to find a way to provide relief for people who had been wronged decades ago. He said he will work with Congress to provide cash compensation.

PRES. CLINTON: There are circumstances where compensation is appropriate as a matter of ethics and principle. I am committed to seeing to it that the United States of America lives up to its responsibility.

Our greatness is measured not only in how we so frequently do right but also how we act when we know we've done the wrong thing, how we confront our mistakes, make our apologies and take action.

HARRIS: Committee chair Ruth Faden noted that the panel identified fewer than 30 people who deserved cash payments.

FADEN: Beyond that, there are clearly thousands of people who were involved as subjects in experiments involving ionizing

radiation, and we suspect that a small number of them were, in fact, harmed and would then be eligible for compensation.

HARRIS: Response to the report from citizen activists was mixed. Some said it didn't go far enough to identify people who were put at risk in the experiments.

Frederick Boyce was given oatmeal spiked with a trace of radioactive calcium when he was in the Fernald Institution for Children near Boston as part of a nutrition study. He said the whole investigation reopened painful wounds, and in the end, the recommendation came up short.

FREDERICK BOYCE: I accept the apology, and it's 50 years late, you know, but I would think that they would have at least said to the Fernald people that they would give some kind of coverage, medical coverage, seeing that it was an experiment. But, so I'm disappointed in that part, you know.

HARRIS: Boyce said what he really wants is a change in the Statute of Limitations so he can sue MIT, Harvard and the Quaker Oats Company which were behind the experiments.

As a historical document, the report won wide praise for its efforts to uncover and present a huge amount of material, much of it buried in archives or even classified as secret.

Martin Bernstein, a historian at Stanford University said it will serve as a valuable springboard for much more research into this dark period of American history.

MARTIN BERNSTEIN [Historian, Stanford University]: Most of these committees don't do good jobs, they do whitewashes. And this is not a whitewash. This is as probing as it could be, and even better than that, within a constricted period of time.

HARRIS: The report also looked to the future and pointed out potential weaknesses in the way experiments are regulated today. So Mr. Clinton said he would establish a federal bioethics commission to watch over future research involving human beings to make sure that 50 years from now the government won't need another panel to review the dark past.

This is Richard Harris in Washington.

TRANSCRIPT

FOR DEPARTMENT OF ENERGY STATION WTTG-TV
Fox Network
PROGRAM Fox Morning News @ 8:00 CITY Washington, D.C.
DATE October 3, 1995 8:28 AM AUDIENCE
SUBJECT Secretary Hazel O'Leary/Radiation Experiments

BROADCAST EXCERPT

LARK MCCARTHY: Were Americans unwitting subjects of cold war era radiation experiments? Energy Secretary Hazel O'Leary has spent the past two years trying to find out. She requested hearings, opened a hot line and formed an advisory committee to shed light on this troubling mystery. Today, her committee, appointed by the President, releases its final report at the White House. Secretary O'Leary joins us now.

HAZEL O'LEARY [Energy Secretary]: Good morning.

MCCARTHY: You know, I think the question that many people want to know about, you know, were Americans unwitting guinea pigs? Is that what it boiled down to in some of these cases?

SEC. O'LEARY: Exactly. And I believe 18 months ago those allegations, appearing to be facts, are what caught the attention of the American public, the sense that their trust with our government had been somehow broken.

MCCARTHY: And you have found that indeed it was.

SEC. O'LEARY: Well, let's walk this through very quickly, if I can.

MCCARTHY: Sure. Tell us what did you find.

SEC. O'LEARY: There were countervailing interests. One, the nation and its scientists were dealing with a very toxic, dangerous substance, irradiated material, having no knowledge about it. There's a shroud of secrecy...

MCCARTHY: Secrecy.

SEC. O'LEARY: Secrecy to get the bomb developed and finally

expand it while others were trying to do the same thing. And its balance between the government's requirement for secrecy and the personal rights of individuals never really took place. And that's because the shroud of secrecy, in some narrow instances, permitted the government, and most disturbingly, its medical professionals, to use human subjects where there was no benefit to the subjects. And much more violating, I believe, to our national ethic is the fact that there was not informed consent.

Now, in all the cases that we examined, almost more than 3/4 of a million -- a billion pages, these episodes were very limited but they existed nonetheless. And the committee named by the President has suggested compensation for the families of these individuals.

MCCARTHY: How many people? You say it was limited. How many people are you suggesting ought to get compensation?

SEC. O'LEARY: Well, the committee has laid out a very strict criteria for harm done, absence of consent and no benefit to the -- in the therapy to the individuals. That would be a very limited number of people, I believe, probably fewer than 30. They said a larger group, and asked for the government now to examine those individuals where we can see no benefit or a very controversial therapy, not discussed with the patient, and most importantly, therefore, no consent.

In that instance, and there are thousands of these cases, the scientific issue is, was there harm? And so the committee has suggested that we set up a panel to review those cases. So I suspect that we will be at it.

MCCARTHY: Yeah, because some critics reportedly are already saying you ought to take into account pain and suffering of the families and just the fact that if it wasn't informed consent, that alone maybe should be some basis for compensation. What do you say?

SEC. O'LEARY: Well, I think it's -- the President will say very eloquently this morning. On a personal basis, I will tell you that I agree with all of the recommendations of the committee. And one is that we go through this process and do that further examination.

But I think in the final analysis what this has been about, the naming of the committee, the openness of the Clinton administration, not just in the Department of Energy, but Defense and Health & Human Services, the CIA is...

MCCARTHY: Can you assure people that nothing like this is happening right now?

SEC. O'LEARY: We can, but we're going to do better to be able to ensure that, because we need to establish a criteria where we are certain when there is classified experimentation going on. I hope we're not, but not of that is going on in my agency right now, that there'll be a panel to review those facts to ensure that individuals are getting fully informed so that they can establish consent.

MCCARTHY: So there would be very strict guidelines.

SEC. O'LEARY: Absolutely. And the President will issue an executive order today.

Finally, I think the important point to be made is in opening up these facts. As difficult and as heart-rending to the nation as it has been, we've set a new standard for openness and building trust for the American citizen, because for four administrations, these facts were suspected and no one every said let us take a look.

MCCARTHY: Because this went on, what? From the '40s to the '70s.

SEC. O'LEARY: That's correct. And this president said, good idea to take a look.

MCCARTHY: And let me -- because there is a ceremony today with President Clinton, and you're holding a news conference. Even this has been affected by O.J. coverage. You're moving it to noon because you want to try to get as much exposure as you can, so noon, you'll have your news conference. Is that right?

SEC. O'LEARY: Noon is the news conference. We believe it's very important to the victims and their families to understand the effort that has been gone through to uncover all of this information which was not well kept because there was no requirement to handle...

MCCARTHY: To keep the information.

SEC. O'LEARY: To handle the data well.

MCCARTHY: Thank you so much. Energy Secretary Hazel O'Leary joining us on this very important topic. News conference later today. We appreciate it.

SEC. O'LEARY: Thank you.

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TRANSCRIPT

FOR DEPARTMENT OF ENERGY **STATION** CNN-TV

PROGRAM Headline News **CITY** Washington, D.C.

DATE October 3, 1995 7:15 PM **AUDIENCE**

SUBJECT Radiation Experiments

BROADCAST EXCERPT

TORIA TOLLEY: President Clinton says the federal government must right past wrongs against Americans and compensate some of those subjected to human radiation experiments decades ago.

After investigating 4,000 experiments, a presidential advisory panel has singled out three for which the compensation is warranted. It says the rest involved small amounts of radiation that are unlikely to pose long-term harm. The cases to be compensated involved people who were clearly misled and were physically harmed by the cold war-era tests.

PRESIDENT BILL CLINTON: Thousands of government-sponsored experiments did take place at hospitals, universities and military bases around our nation. The goal was to understand the effects of radiation exposure on the human body.

While most of the tests were ethical by any standards, some were unethical, not only by today's standards but by the standards of the time in which they were conducted. They failed both the test of our national values and the test of humanity.

TOLLEY: The panel says more cases deserving compensation may be uncovered as people see tons of declassified documents.

October 4, 1995
Best Quality

Clinton apologizes for radiation tests



President
Clinton

By EARL LANE
Newsday

A-3 st

WASHINGTON — President Clinton apologized yesterday to the unwitting subjects of government-funded radiation experiments and ordered his administration to find ways to compensate those who were harmed and misled.

"The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities," Clinton said. "When the government does wrong, we have a moral responsibility to admit it."

Clinton offered the apology in accepting a 925-page report by a White House advisory panel that spent 18 months examining records on about 4,000 radiation experiments conducted from 1944-74.

Clinton asked federal agencies to report within 120 days on their current procedures for protecting the rights of research subjects, including informed consent. He also ordered the creation of a National Bioethics Advisory Commission to help guide the future conduct of biomedical research involving humans.

"We will no longer hide the truth from our citizens," Clinton promised.

The panel said that in the great majority of cases, experiments were undertaken to advance medical science and involved trace amounts of radiation unlikely to have caused any harm. But the panel also found obvious wrongs had been committed in some cases, with patients used as subjects

of experiments without their consent or knowledge.

In such cases, the panel recommended financial compensation of an unspecified amount should be paid even if no physical harm resulted. The panel found three experiments in the 1940s that qualify: one in which 18 persons — some of whom have been identified — were injected with plutonium without their knowledge; another in which an unidentified subject was injected with zirconium; and a study in which several unidentified people were subjected to whole-body radiation.

The panel also recommended compensation in cases where there was no prospect of medical benefit or where controversial treatments were presented as standard practice and the subjects suffered physical harm. The panel cited as candidates for compensation: uranium injection experiments in Rochester, N.Y., and Boston; testicular irradiation experiments on inmates in Washington state and Oregon and some experiments involving injection of iodine-131 into children.

Energy Secretary Hazel O'Leary called for negotiated settlements with families who already have filed lawsuits on behalf of kin in the plutonium injection experiment and others. Bills also are expected in Congress to set up a compensation program for radiation experiment victims similar to those already established for civilians and veterans exposed to atomic bomb fallout and for uranium miners.

Test subjects get apology, damages

Clinton orders relief for victims of government-sponsored radiation tests.

A Los Angeles Times Report

WASHINGTON — President Clinton Tuesday apologized to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief — including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

And, in proposing a system of restitution, he added: "We know there are moments when words alone are not enough."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

Although the panel studied about 4,000 radiation experiments that took place during that period, it recommended that only a handful of victims receive compensation. Panel members specifically cited three experiments, including one project where 18 hospital patients, most of them terminally ill, were unknowingly injected with plutonium to determine how long the substance remained in their bodies.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

More than 1,300 military personnel and their dependents stationed at a military base in Tampa at the end of World War II received experimental radium treatments for

ear infections and other illnesses.

The panel does not recommend health screenings for those who received the treatments, concluding that their long-term risk was low.

Nevertheless, administration officials appeared to leave the door open for additional restitution, if warranted.

Energy Secretary Hazel O'Leary said in an interview that there could be "thousands, many thousands" of individuals who deserved payment, but stressed that both the government and the panel had been hampered by poor or nonexistent record-keeping during that time period.

Since her department's investigation began, "of the 10,000 calls we

received, about 3,000 individuals gave us enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 50 names," she said.

In the case of the 18 subjects of plutonium injections, however, she said discussions regarding

compensation would begin immediately with their families.

O'Leary said the funds would come out of her department's budget.

"We are ready and willing to begin a negotiation," she said. "One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Clinton also ordered a review of the procedures involving all government-sponsored research on humans, and said he will create a bioethics advisory commission to police the research process.

He acknowledged medical and scientific progress "depends upon learning about people's responses to new medicines, to new cutting-edge treatments ... but there is a right way and a wrong way to do it."



Energy Secretary Hazel O'Leary said thousands could get restitution.

PHILADELPHIA DAILY NEWS October 4, 1995
Original

An apology for U.S. radiation experiments

No more secrets,
Clinton promises

p 10 by N. Josef Hebert
Associated Press

WASHINGTON — President Clinton apologized to the victims of secret Cold War-era radiation experiments yesterday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation.

Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

Accepting the 900-page report, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

The panel, led by Dr. Ruth Sader, an ethics professor at George Washington University, documented some 4,000 radiation experiments, but said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said.

Promising to prevent future abuses, the president established the National Bioethics Advisory Commission to help shape policy regarding research to assure protection of human test subjects. He also ordered a government-wide review to make certain the rights of anyone participating in a medical experiment are protected.

The advisory panel singled out only three experiments, involving about 30 people, where it said compensation clearly is warranted. It cited a half-dozen other cases that might be "candidates" for compensation if the test subjects were found to have suffered physical harm.

Clinton said most of the Cold War-era experiments were conducted in an ethical manner, but others — including the plutonium experiments — were wrong and often shrouded in secrecy "not for a compelling need for national security, but for the simple fear of embarrassment." ■

Clinton Apologizes by Offering To Compensate Radiation Victims

COMBINED NEWS SERVICES

WASHINGTON — President Clinton on Tuesday apologized to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief — including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another is to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

And, in proposing a system of restitution, he added: "We know there are moments when words alone are not enough."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

The 906-page report traces the history of radiation research from 1944, when government and university scientists worked secretly and furiously to build an atomic bomb, to 1974, when the federal Department of Health, Education and Welfare issued rules for the protection of human subjects in government-sponsored research.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compen-

sation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

Information about some of the research has trickled out in court cases, newspaper articles and government admissions during the past two decades. Medical historians have written about a few of the thousands of research projects that exposed the healthy, the ill and, in some cases, whole populations to radioactive substances. Never before, however, has the era's story been told in such detail.

Although it is difficult to generalize about the behavior of dozens of agencies and hundreds of researchers engaged in thousands of experiments, a general picture of Cold War medicine emerges from the report. It's a portrait of men endowed with what seems like surprisingly modern scientific insights and concerns — laboring in an antique world of conformist and paternalistic morality.

Most medical researchers of 40 years ago felt little or no need to ask patients if they wanted to have experimental therapies that might treat or cure their illnesses. Few were troubled by secretly enrolling patients into studies that, though not expected to cause harm, could not help them.

Surprisingly, few people were physically harmed or killed as a result of thousands of medical experiments and environmental tests involving substances that everyone agreed were dangerous.

Equally surprising, few real heroes or villains emerge from the advisory committee's meticulous

reconstruction of those events. Unlike other morally objectionable research — such as the Nazi death-camp experiments or the notorious Tuskegee study of untreated syphilis in this country — many of the radiation experiments provided data that was and remains useful.

The report was written by the 14-member advisory committee, comprising mostly medical historians and ethicists, and one person representing the public. A staff of 60 unearthed tens of thousands of documents, many of them declassified for the first time. The panel held 20 meetings, including four in places where survivors (or descendants) of experiments or "intentional releases" of radiation still live.

The report is unusual because of the breadth of activity that went into its creation.

The committee and staff were foremost historians.

The Albuquerque Tribune

A Scripps Howard Newspaper

Circulation - 41,000

Page: A-1

Date: 10/3/95

Clinton apologizes to radiation victims

10/3/95 (T) A-1

The president ordered the creation of another advisory commission to review current policies protecting experiment subjects.

By Karen MacPherson

WASHINGTON BUREAU

WASHINGTON — President Clinton today apologized to Americans who were harmed by government-sponsored human radiation experiments, saying the government has a "moral responsibility" to admit its mistakes.

Clinton's comments came as he accepted a 900-page report by the White House Advisory Committee on Human Radiation, outlining both the successes and abuses of scientists who conducted government-

sponsored human radiation research from 1944-1974.

The 14-member advisory panel uncovered information about 4,000 experiments involving tens of thousands of people, including the highly publicized case of 18 who were injected with plutonium without their knowledge or consent.

The details of that case, published by The Albuquerque Tribune in a Pulitzer Prize winning series in late 1993, led Clinton to create the advisory group in January 1994.

While the panel found that wrongs were done, it also recommended that only a handful of victims be compensated and rejected the need for continued medical monitoring for others.

Groups representing radiation experiment victims criticized the recommendations, saying they will lead to a "perpetuation of the original crime — the denial to victims of the right to know ... and to make an informed decision with regard to their own bodies and health."

America's
ATOMIC
Fallout

■ Clinton apologizes for secret
Cold War-era radiation experiments

WASHINGTON — President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

Accepting the 900-page report, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

The panel documented some 4,000 radiation experiments, but said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

TRANSCRIPT

FOR DEPARTMENT OF ENERGY **STATION** WTOP-AM Radio
CBS Network

PROGRAM The Osgood File **CITY** Washington, D.C.

DATE October 3, 1995 6:47 AM **AUDIENCE**

SUBJECT Human Radiation Experiments

BROADCAST EXCERPT

CHARLES OSGOOD: Back in the 1950s the U.S. government wanted to know how nutritious breakfast cereals were, so a group of children were fed special meals.

DR. RUTH FADEN [Advisory Committee On Human Radiation]: They were given cereals that involved taste levels of radioactive calcium in order to see how well calcium was absorbed.

OSGOOD: This was just one of thousands of government experiments conducted between 1944 and 1974 which exposed Americans to radiation. Many of these tests remained secret until last year when President Clinton appointed a committee to investigate. Today that panel releases its findings.

More after this.

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OSGOOD: A number of U.S. federal agencies funded or conducted radiation tests on humans during the cold war era. Their motive was to advance medical science and/or improve national security.

DR. FADEN: The nation was committed to two important goals that I believe all of us today as American citizens would say were laudable goals.

OSGOOD: Dr. Ruth Faden chairs the President's Advisory Committee on Human Radiation, but she says in the pursuit of knowledge, researchers often ignored individual's right to know, to give their consent to what was going on. One example, hospital patients who were not told that they were being injected with atomic particles.

DR. FADEN: What followed afterwards was particularly

troubling. There was an interest in continuing to do medical tests on them, or if they had died, to exhume their bodies and do studies. The subjects, if they were still living, and the family members of the subjects who were deceased were essentially lied to about the purpose for these follow-up investigations.

OSGOOD: It's difficult to say how many Americans were harmed by the 4,000-some experiments.

DR. FADEN: Much of this research involved low doses, trace doses of radiation. And it is unlikely that large numbers of people were harmed physically as a consequence. But it cannot be ruled out that some people were harmed.

OSGOOD: What was clearly damaged, says Dr. Faden, is the public trust in their leaders. That's why the committee calls for Washington to make public apologies and make appropriate changes in the law.

DR. FADEN: Communities and individuals are incapable, for totally explainable reasons, of believing the government today because of the secret and the deception and the withholding of information that occurred decades ago.

OSGOOD: The Osgood File, Charles Osgood on the CBS Radio Network.

RADIO TV REPORTS

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TRANSCRIPT

FOR DEPARTMENT OF ENERGY STATION WRC-TV
PROGRAM News 4 Today @ 5:30 CITY Washington, D.C.
DATE October 4, 1995 6:20 AM AUDIENCE
SUBJECT Radiation Experiments

BROADCAST EXCERPT

BARBARA HARRISON: President Clinton has promised a new era of openness to prevent a repeat of secret radiation experiments. The government concedes such tests were run on people during the cold war era.

At a White House ceremony, Clinton pledged never to hide the truth from American residents. The President received a report that confirmed some people were guinea pigs for government-sponsored experiments without knowing it.

Energy Secretary Hazel O'Leary plans to set up a task force to see who should be financially compensated for falling prey to the covert operation.

Presidential panel finds little benefit in notifying radiation test subjects

WASHINGTON (AP) — There would be little or no benefit in compensating or even notifying most of the people who took part, often unknowingly, in some 4,000 radiation experiments the government sanctioned during the Cold War, a presidential panel says.

Concluding the tests posed little long-term risk, the advisory panel rejected the idea of widespread efforts to contact or provide medical follow-up for survivors among the estimated tens of thousands of subjects.

In nearly two years of investigation and a review of more than 100,000 documents, the advisory group found evidence of many tests in which subjects' consent was lacking or in doubt.

Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel said, and in many cases the identity of test subjects remains unknown.

The nearly 1,000-page report, a draft copy of which was obtained by

The Associated Press, is to be released by President Clinton on Tuesday at a White House ceremony.

Most of the Cold War-era experiments involved adult patients being given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns, the advisory panel said.

"The damage is not physical injury, although this, too, did occur in some cases, (but) the pain felt by people who believe that they or their loved ones were treated with disrespect," the report said.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission in which 18 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for

families of the victims, some of whom lived for many years after the injections. The other two cases the panel said warranted compensation involved a person who was injected with zirconium at about the same time as the plutonium experiments, and an experiment in which individuals were subjected to whole-body radiation, also in the 1940s.

These cases involved "deliberate attempts ... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the presidential panel said. It called them "assaults on privacy and individual rights."

The identity of those subjected to the zirconium and the whole-body radiation are not known, the panel said.

The advisory committee, chaired by Ruth Faden, a bioethicist at Johns Hopkins University, was less certain about how to deal with some of the other more questionable Cold War-era experiments, various details of which have surfaced in recent years.

Radiation test panel sets ruling

Associated Press

WASHINGTON — Warning people about the dangers of radioactive nasal treatments they received a half-century ago would only cause unnecessary worry and useless medical tests, a government panel has concluded.

The Advisory Committee on Human Radiation Experiments said the benefits of notifying patients of the dangers of the radioactive nasal treatments do not outweigh the potential harm of doing so.

Even if people were notified, "nothing could be done for those suffering from brain cancers because there's no known treatment," said Stephen Klaidman, the committee spokesman.

The recommendation is contained in a draft report the panel is to give the Clinton administration next week of its study of a wide range of human radiation tests the government conducted after World War II.

Radium, encased in capsules and inserted into nostrils at the end of long sticks, was intended to shrink tissues near the eustachian tubes. The treatment was developed at Johns Hopkins Hospital in Baltimore to treat children for hearing loss.

The treatment was given to military pilots and divers, including Navy submariners, to prevent broken ear drums resulting from drastic changes in pressure.

Civilians were given radium for hearing loss, colds, adenoid troubles and other ailments. Some have questioned whether radium caused such health problems as tumors, endocrine and auto-immune disorders, miscarriages, and brittle teeth.

The panel's conclusion about the nasal treatments has bitterly disappointed patients and their advocates, who were hoping to gain help through the committee's high-profile work. Since early 1994, they have been lobbying the government for aid in conducting an epidemiological study and notifying people.

"They've ignored what is ultimately the biggest risk in terms of health risks," said Stewart Farber, a Rhode Island public health scientist who has spent years researching the issue. "I think this is an outrage."

Compensation for heirs of radiation experiment subjects recommended

By Richard Powelson

News-Sentinel Washington bureau

WASHINGTON — Congress should provide compensation to relatives of an Oak Ridge man and 17 people from other areas who were injected with radioactive plutonium in federal experiments in the 1940s, a presidential panel has recommended.

The White House Advisory Committee on Human Radiation Experiments, which releases its final report Tuesday after a year of study, cites no figure as to how much the families of the radiation-exposed patients should be paid, leaving that to Congress.

The Oak Ridge man, Ebenezer Cade, who was black, was the first of 18 people injected with plutonium at various federally supported facilities, starting in 1945. He was 53 at the time, a cement mixer, who suffered broken bones in a head-on auto collision.

Records show Cade was taken to the U.S. Army's Manhattan Engineer District Hospital in Oak Ridge for treatment and at some point was injected with radioactive plutonium. He died eight years later of a heart attack in Greensboro, N.C.

The advisory panel found a physician (not identified in the report) who claimed to have injected Cade without any formal consent.

"Mr. Cade was put at some — probably small — risk of cancer by the plutonium injection," the draft report says.

The experiments were conducted early in the Atomic Age when federal officials were concerned about the safety of nuclear workers exposed to radiation at federally supported plants. Scientists wanted to know if the human body could excrete plutonium and how much and how fast it would leave the body.

The panel's draft report also concluded thousands of other Americans are owed an apology for their exposure to radiation at U.S. facilities even though they suffered no health effects.

"The committee believes that people who were used as research subjects without their consent were wronged even if they were not harmed," the draft report says.

"We believe that these experiments were unethical. The subjects were hospitalized patients. Being ill and institutionalized left them vulnerable to exploitation.

"Physicians violated their . . . (professional) responsibilities by giving the patients substances from which there was no expectation they would benefit and whose effects were uncertain."

The panel may revise parts of the report before the final draft is released Tuesday by the Department of Energy, the staff said.

TRI-CITY HERALD
Tri-Cities, WAA4
OCT 05 1995

Downwinders blast radiation test report

By The Associated Press

SPOKANE — A group of people who attribute their health problems to radiation releases from Hanford criticized a White House advisory panel's report on government-sanctioned human radiation tests.

The panel didn't pay enough attention to Hanford "downwinders" who lived near the site and were exposed to airborne radiation releases during the Cold War, the group said Tuesday.

The group also said the committee failed to disclose enough information about past radiation experiments at Hanford.

"We feel outraged by the report," said Brenda Weaver, one of a dozen people who held the news conference. "A book has been opened, a page read, and then it's been closed."

President Clinton on Tuesday accepted the report by the 14-member Advisory Committee on Human Radiation Experiments and offered an apology for the experiments.

The panel didn't pass judgement on airborne radiation released from Hanford during the making of plutonium for nuclear weapons. The report said health studies eventually will determine the risk to Hanford downwinders and whether they should be compensated.

Richland talk on quakes

By the Herald staff

A geophysicist will talk about earthquakes during a free lecture tonight at the Richland Public Library, 955 Northgate Drive.

Andrew Michael, with the U.S. Geological Survey Office of Earthquakes, Volcanoes and Engineering will discuss new developments in predicting earthquakes.

His speech begins at 7:30 p.m. in the library's Gallery Room. The event is open to the public.

Michael has been involved in earthquake research since 1986, spe-

cializing in using data from the California seismic networks to study how the Earth's crust and forces within it control and are affected by large earthquakes.

He will focus on the use of seismometers and seismic networks and how earthquake geologic research is changing the development of new technology.

The lecture is co-sponsored by Battelle-Northwest, which manages the Pacific Northwest Laboratory for the U.S. Department of Energy, and the Institute for Science and Society in Ellensburg.

TRI-CITY HERALD
Tri-Cities, WAC11
OCT 04 1995

Clinton apologizes for radiation experiments

By The Associated Press
and Herald staff

WASHINGTON—President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

Hanford was involved in about 10 noncontroversial experiments that mostly dealt with small amounts of radioactive medical isotopes.

However, Hanford also provided technical support for a questionable University of Washington experiment that X-rayed the testicles of prison inmates at Walla Walla in the 1960s and early 1970s.

That experiment was related to a similar one in Oregon. The experiments were conducted after an accidental 1962 radiation flash at Hanford struck the testicles of three workers.

Accepting the 900-page report, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

The panel documented some 4,000 radiation experiments, but said most "are

unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

"When the government does wrong, we have a moral responsibility to admit it," Clinton told an audience that included a number of relatives of some of the victims of the most troubling experiments.

Promising to prevent future abuses, the president established the National Bioethics Advisory Commission to help shape policy regarding research to assure protection of human test subjects. He also ordered a government-wide review to make certain the rights of anyone participating in a medical experiment is protected.

The advisory panel singled out only three experiments, involving about 30 people, where it said compensation clearly is warranted. It cited a half dozen other cases that might be "candidates" for compensation if the test subjects were found to have suffered physical harm.

Clinton said most of the Cold War-era experiments were conducted in an ethical manner, but others—including the plutonium experiments—were wrong and often shrouded in secrecy "not for a compelling need for national security, but for the simple fear of embarrassment."

Heart of America-Northwest, a Hanford activist group, and the Government Accountability Project, a whistleblower protection organization, criticized O'Leary on Tuesday for not finishing declassifying documents on intentional radiation releases at Hanford.

Intentional releases in the 1940s and 1950s have not been included in official tallies of human radiation experiments at Hanford.

In a press release, Heart of America-Northwest and the Government Accountability Project contended O'Leary has not followed through on a year-old promise to create a "Hanford Openness Panel" to speed declassification and improve access to records addressing radiation exposures to the public and workers.

Clinton created the Advisory Committee on Human Radiation Experiments in late 1993 after disclosure of the plutonium experiments.

The committee members were "morally outraged" by the plutonium experiments and recommended victims' families receive financial compensation even if direct physical harm cannot be proven, said Dr. Ruth Faden, the panel's chairwoman.

"There was active misrepresentation. You can call it lying" said Faden, an ethics professor at Johns Hopkins University.

The panel also recommended compensation for the experimental injection of a person in the 1940s with zirconium and a World War II-era experiment in which individuals were subjected to whole-body radiation.

The cases involved "deliberate attempts... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the panel concluded.

SEATTLE POST INTELLIGENCER
Seattle, WA32
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Panel's report on human radiation tests rapped

THE ASSOCIATED PRESS

A group of people who attribute their health problems to radiation releases from the Hanford Nuclear Reservation criticized a White House advisory panel's report on government-sanctioned human radiation tests.

The panel didn't pay enough attention to Hanford "downwinders" who lived near the site and were exposed to airborne radiation releases during the Cold War, the group said Tuesday.

The group also said the committee failed to disclose enough information about past radiation experiments at Hanford.

"We feel outraged by the report," said Brenda Weaver, one of a dozen people who held a news conference.

"A book has been opened, a page read, and then it's been closed."

Many of the news conference participants suffer from thyroid disease, cancer and other health problems they believe are related to radiation from Hanford.

Weaver said animal deformations — such as lambs born without eyes — were common at her father's farm seven miles from Hanford during the 1960s. She also believes her daughter Jamie was born without eyes as a result of radiation releases.

"It's too much of a coincidence," she said.

"We still don't know the full story. Our government is not being accountable to us."

President Clinton on Tuesday accepted the report by the 14-member Advisory Committee on Human Radiation Experiments and offered an official apology for 4,000 experiments on thousands of victims. Most were exposed to toxic and radioactive substances without their knowledge from 1944 to 1974.

Most people subjected to the tests suffered little or no long-lasting effect and should not be compensated, the report said.

DEPARTMENT OF ENERGY

DOE and Radiation Experiments

NATIONAL PUBLIC RADIO's "MORNING EDITION"

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BROADCAST EXCERPT

BOB EDWARDS: President Clinton receives a report today from a committee of historians, medical researchers and ethics experts passing judgment on human experiments between 1944 and 1974 that involved radiation. The President requested the report last year after the Albuquerque Tribune named several individuals who had been injected with plutonium in the 1940s without their knowledge. Revelations about many other experiments soon followed. The committee singled out a few cases that deserved a formal government apology and financial compensation.

NPR's Richard Harris reports.

RICHARD HARRIS: Before the President's committee tried to wade through the records of thousands of experiments that involved radiation, the members took a hard look at the ethos of the day. What they found in this cold war era was a world in which national security and biomedical research were both powerful and at a times intertwined. But committee chair Ruth Faden says it was also a time when researchers often lost sight of the interest and dignity of their human subjects.

RUTH FADEN [Committee Chair]: During this period, particularly in the '40s and '50s but continuing into the '60s, it really was not uncommon for physicians to use their patients as subjects of research without their knowledge and without their consent. This happened. It happened by no means only or exclusively or primarily in radiation research. It was sort of the way business was done in lots of institutions by lots of physician investigators.

HARRIS: Physicians took it upon themselves to weigh the risks of experiments, and Faden says in most cases the risks were indeed minimal. But the researchers didn't include the patient in that decision.

FADEN: Physicians sort of did a calculus. At least our history suggests this that said, gee, it's not very risky or it's no risk, it's not terribly inconvenient, the patient is there anyway, let's draw some blood, let's do an extra x-ray, let's take a little tissue and let's infuse a little this, let's do a little that. And although that was common practice, the committee came down strongly condemning the practice. That was wrong. That was wrong then and it's wrong now. I mean, it should not have happened.

HARRIS: It turned out to be impossible to study all the radiation experiments, but the committee choose a sample of tests most likely to be unethical as case studies. And indeed, the committee found few instances of physical harm, but several examples in which people's rights were ignored and their dignity damaged. The committee established a sliding scale of guilt to apply to these cases. Faden says the worst were studies in which people may not have been harmed but where the government deliberately deceived them about the purpose of the experiments.

FADEN: We had a few cases of this, not many, fortunately, that we could uncover. The committee was so morally outraged, not only by the use of these people as basically convenient objects, but then moreover, active lying on the part of government officials, or active withholding of information, deception, so as to keep it quiet, and with documents making it plain that the reason why the government kept -- wanted to keep it quiet is 'cause they knew that if it got out, the public would be offended.

HARRIS: Into this category, the committee placed the notorious plutonium injection experiment which involved 18 people in California, New York and Illinois. The committee concluded those people should receive a formal apology from the government and monetary compensation.

FADEN: If it ever comes out that there are any other experiments that fit this fact situation, they too or their family members deserve the same remedy.

HARRIS: Other people deserving compensation include those who were injured if they took part in research that they couldn't possibly benefit from or if the experiment was misrepresented as standard practice. A few experiments the committee reviewed potentially fit into this category, including whole-body radiation experiments on some cancer patients and an experiment in which prisoners volunteered to have their testicles irradiated. But the committee did not pass judgment on whether anybody was harmed in these experiments and so deserved compensation and apologies.

And the committee concluded that apologies but no money are due to people who participated in experiments that were conducted

without proper consent but where no harm resulted. Experiments involving retarded children at the Fernald School in Massachusetts were singled out in this category.

With this report, the committee hopes to reach closure on revelations that have both tarnished the government's reputation and been used by the Clinton administration to promote its openness in government agenda.

The committee won't get the last word though. Historians, victims and other interested parties are already lining up to pass judgement on the committee's work.

This is Richard Harris in Washington.

Clinton proffers apology to radiation-test subjects

SCRIPTS HOWARD NEWS SERVICE A.3

WASHINGTON—President Clinton Tuesday apologized to individuals—or their surviving family members—who were harmed by human radiation experiments conducted by the federal government during the Cold War.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said.

Clinton issued the apology during a White House ceremony at which he accepted the final report of the Advisory Committee on Human Radiation Experiments.

Several subjects of the experiments and their families were at the ceremony. At the end, Clinton went down into the audience and reached out to them, including Emma Craft of Nashville.

Holding a large photograph of her daughter Carolyn, Craft told Clinton about her daughter dying of cancer in 1959, 11 years after Craft believes Vanderbilt Hospital gave her radioactive iodine when she was pregnant as part of a government-funded radiation study.

The Vanderbilt study, which currently is the focus of a class-action lawsuit, is one of 4,000 government-

sponsored Cold War experiments involving tens of thousands of people that are detailed in the advisory committee's 900-page report.

The advisory panel found that "wrongs were done" in some of the experiments, including a top-secret test from 1945-1947 in which 18 people were injected with plutonium without their knowledge or consent.

The details of that case led Clinton to form the advisory committee in 1994.

Calling the committee's report a "monumental document," Clinton said it marked an important step to righting past wrongs. He added that its lessons "must be engraved on our national memory."

Noting that the committee found "serious deficiencies" in current ethical policies, Clinton announced the creation of the National Bioethics Advisory Commission to address the problem.

He also instructed top federal officials to "devise promptly" a compensation system "that meets the standards of justice and conscience" for radiation experiment victims.

The committee recommended compensation for only a handful of

experiment subjects, specifically those who were clearly misled by government scientists and suffered physical harm from the tests.

In a controversial move, the panel rejected the need for continued medical monitoring for any experiment subjects, saying there was no medical justification. Groups representing the subjects strongly criticized that decision.

A2 • The Knoxville News-Sentinel, Wednesday, October 4, 1995

Radiation victims to be compensated

By Richard Powelson

News-Sentinel Washington bureau

WASHINGTON — President Clinton on Tuesday offered a government apology to victims and their relatives for radiation experiments on humans without their consent in the 1940s to mid-1970s, and told his cabinet to determine fair compensation for them.

Perhaps 30 or many more persons

could qualify for compensation, including an Oak Ridge cement mixer, Ebenezer Cade, who was injected at a federal facility with radioactive plutonium in 1945 after he was severely injured in an auto accident. He died eight years later.

"The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments," Clinton said, "to their

families and to their communities. When the government does wrong, we have a moral responsibility to admit it."

Clinton was reacting to a 925-page report written by a commission he appointed 18 months ago to examine the extent of experimental radiation treatments on humans since World War II as

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Victims

Continued from page A1

part of federal studies on the effects of radiation on nuclear plant workers, military personnel and astronauts in space. The aim of other studies was sometimes unclear.

Part of the work of the Advisory Committee on Human Radiation Experiments was to determine whether patients were fully informed of the risks of the treatments and whether the treatments were therapeutic, and how dangerous they were to humans.

Steve Klaidman, a spokesman for the commission, said the panel did not determine exactly how many persons might be due compensation beyond perhaps the 30. "It may be hundreds or thousands. We don't know."

But anyone who can meet certain criteria could be due compensation, he said. The criteria would be if risky radiation treatment were given to them without proper warning, regardless of any actual health damage, or if misrepresentations were made by scientists or physicians during non-therapeutic treatment.

Congress ultimately will decide if compensation will be paid, and how much.

One potential experiment victim, Emma Craft of Nashville, spoke briefly with Clinton after his speech to reporters, some radiation victims and the 14 presidential commission members. Holding a large photograph of her deceased 10-year-old daughter Carolyn, Craft told Clinton about her daughter dying of cancer in 1959, 11 years after Craft believes Vanderbilt Hospital in Nashville gave her radioactive iodine for a nutrition study when

she was pregnant.

She said that Clinton agreed with her that DOE Secretary Hazel O'Leary had done a good job looking into many of the experiments involving humans.

But after Clinton left the room, she was asked by reporters if she thought the presidential commission did a thorough job looking into experiments in which she was involved. Craft said: "No, I don't really think so." She said the hospital has said it doesn't have her records any more, and she still hasn't seen all the relevant records.

Her attorney, Jackie Kittre of Knoxville, who also was present for Clinton's speech, said the commission's final report did not focus much on the Vanderbilt experiments. "I think that they didn't have the resources or kind of didn't prioritize getting into individual cases, and that's what the courts are for."

Clinton apologizes for radiation tests

Seeks to right the wrongs of 30-year effort

By Paul Hoversten
USA TODAY

P.10A

An unprecedented probe into a secret Cold War program that made thousands of Americans unwitting victims of radiation experiments drew to a close Tuesday, after two years of sifting through millions of formerly classified files.

The end came with President Clinton's apology to the victims in one of the most troubling chapters in U.S. history.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said, accepting an advisory panel report urging government compensation to victims if they were clearly misled and suffered physical harm from tests.

Clinton ordered a government-wide review of research involving human subjects. Since 1974, government agencies have had strict guidelines governing such experiments, requiring informed consent.



By Shane Young, AP

"The story ... has many pieces," says Energy Secretary Hazel O'Leary, who launched the probe in December 1993 by unlocking millions of secret

files from the Atomic Energy Commission, abolished in 1974.

"There's a very positive and

good side" to the information contained in those classified documents, she says. "And of, course, there is a dark side."

The 4,000 experiments, from 1944 to 1974, led to advances in nuclear medicine and ways of diagnosing and treating cancers and other illnesses.

But the commission found



AP

EXPERIMENTAL: The test subject above, in a photo released by the Energy Department, was injected with radioactive tracers at Donner Laboratory in California in 1968. At left, Harold Bibeau holds a photo of Karl Heller, who Bibeau says performed radiation tests in Oregon in 1965. Bibeau says he now suffers from pain and rashes.

"Most people doing these experiments revealed to the subjects what they thought they had to know," says Kenneth Mossman, professor of health

physics at Arizona State University. "But were they upfront with them? In some cases they were. ... The main problem was about informed consent."

With the threat of nuclear war as a backdrop, researchers considered as crucial to national security all data on how the body absorbed radiation.

"It was a very special time. ... We wanted a strong defense but there were excesses," says

Ruth Faden, professor of health policy at Johns Hopkins University and head of the presidential advisory commission.

Harold Bibeau considers himself one of those excesses. Bibeau, 53, a draftsman in Portland, doesn't want an apology. He just wants the government to provide medical follow-up for injuries he says he suffered.

He was one of 67 inmates to have their testicles irradiated in an experiment at Oregon State Prison, where he was serving time for voluntary manslaughter. An additional 74 prisoners

that the government sometimes used "vulnerable" people — children, prisoners, the poor, minorities, the terminally ill — as subjects. The records hark to a time when Americans were inclined to let the government decide what was best for them.

October 4, 1995
Original

were tested in Washington state.

In 1965, Bibeau lowered his testicles into warm water and received a dose of radiation stronger than that of 20 modern diagnostic X-rays. In exchange, he got a stipend of \$5 a month.

Bibeau now says he has lumps in his body and suffers testicular pain and rashes that other test inmates also report.

"If you're going to have experiments on humans, it's the responsibility of the physicians to make sure these people have a medical follow-up," he says. "We were lied to."

Faden says the search yielded about all it can: "We cast our nets as wide and far as humanly possible. But when you're taking on a project as large as this, there's always another archive around the corner or another collection in the basement."

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Reparations urged in 3 radiation cases

President apologizes to unwitting victims

SUN WIRE REPORTS

WASHINGTON - Closing a chapter on three decades of human radiation experiments, President Clinton today apologized to the unwitting victims. "When the government does wrong, we have a moral responsibility to admit it," Clinton said.

He issued the apology after accepting an advisory panel's 900-page study that urged the government to pay compensation to the victims if they were clearly misled and suffered physical harm from the tests.

Of an estimated 4,000 Cold War-era experiments, the Advisory

Committee on Human Radiation Experiments singled out three where it said compensation clearly is warranted:

■ A series of experiments from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were injected with radioactive plutonium without their knowledge.

■ A 1948 test in which a patient at the University of California was injected with radioactive zirconium and the experiment was concealed.

■ A series of total-body radiation experiments. Such experiments were conducted on hundreds of patients from 1942 until the early

1970s at the University of Cincinnati and at least four other colleges. It was unclear how many of the tests would be eligible for compensation.

Dr. Ruth Faden, the panel's chairwoman, said Monday that committee members were "morally outraged" by the plutonium experiments and recommended that the victims' families receive financial compensation even if direct physical harm cannot be proven.

The cases involved "deliberate attempts ... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the presidential panel concluded, calling the experiments "assaults on privacy and individual rights."

The advisory committee was less certain about how to deal with some of the other questionable Cold War-era experiments, various details of which have surfaced in recent years.

These cases included the irradiation of prisoners' testicles in Washington and Oregon, experiments involving children at the Fernald School in Massachusetts, and research on pregnant women at Vanderbilt University in Nashville, Tenn.

"It's possible that people there were harmed. And if they were harmed, they ought to be compensated," said Faden. The panel urged the government to issue a formal apology in some of these experiments.

October 4, 1995

Clinton Apologizes for Radiation Tests

■ **Experiments:** Cabinet will study compensation for some victims and their families. About 4,000 secret studies through 1974 were disclosed.

By MARLENE CIMONS
TIMES STAFF WRITER

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WASHINGTON—President Clinton apologized Tuesday to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief—including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

Although the panel studied about 4,000 radiation experiments that took place during that period, it recommended that only a handful of victims receive compensation. Panel members specifically cited three experiments, including

one project where 18 hospital patients, most of them terminally ill, were unknowingly injected with plutonium to determine how long the substance would remain in their body.

The committee recommended that several subjects of total-body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

Nevertheless, Administration officials appeared to leave the door open for additional restitution. Energy Secretary Hazel O'Leary said in an interview that there could be "thousands, many thousands" of individuals who deserve payment but stressed that both the government and the panel have been hampered by poor or nonexistent record-keeping during that time.

Since her department's investigation began, "of the 10,000 calls we received, about 3,000 individuals gave us enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 50 names," she said.

In the case of the 18 subjects of plutonium injections, however, she said discussions regarding compensation would begin immediately with their families.

The experiment, conducted from 1945 to 1947, was deemed necessary at the time to assess the risks that workers faced when exposed to such materials. One patient was injected at Oak Ridge Hospital in Oak Ridge, Tenn., 11 at the University of Rochester, three at the University of Chicago and three at a University of California campus. It was unclear which facility was involved.

O'Leary said the funds would

come out of her department's budget. "We are ready and willing to begin a negotiation. One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Clinton also ordered a review of the procedures for government-sponsored research on humans and said he will create a bioethics advisory panel to police the research process to "see to it that never again do we stray from the basic values of protecting our people and being straight with them."

He acknowledged that medical and scientific progress "depends upon learning about people's responses to new medicines, to new cutting-edge treatments, . . . but there is a right way and a wrong way to do it."

The work began when many such studies were undertaken in secret to help understand radiation risks to workers involved in the development of the atomic bomb. This was long before it became standard practice to issue "informed consent" to medical research subjects, laying out the risks and benefits of participation.

Clinton said some of the experiments performed during that period "were unethical not only by today's standards but by the standards of the time. They failed both the test of our national values and the test of humanity."

The experiments "were shrouded not for a compelling reason of national security but for the simple fear of embarrassment, and that was wrong," he added.

The experiments ended in 1974, when the government recognized the need to protect human subjects and established regulations that govern human research.

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Victims of radiation experiments get apology

The Associated Press

WASHINGTON — President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation

experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

Accepting the 900-page report, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their

families and to their communities."

The panel documented some 4,000 radiation experiments, but said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

"When the government does wrong, we have a moral responsibility to admit it," Clinton told an audience that included a number of relatives of some of the victims of the most troubling experiments.

Promising to prevent future abuses, the president established the National

Bioethics Advisory Commission to help shape policy regarding research to assure protection of human test subjects. He also ordered a government-wide review to make certain that the rights of anyone participating in a medical experiment is protected.

The advisory panel singled out only three experiments, involving about 30 people, where it said compensation clearly is warranted.

It cited a half dozen other cases that might be "candidates" for compensation if the test subjects were found to have suffered physical harm.

Clinton said most of the Cold War-era experiments were conducted in an ethi-

cal manner, but others — including the plutonium experiments — were wrong and often shrouded in secrecy "not for a compelling need for national security, but for the simple fear of embarrassment."

Clinton created the Advisory Committee on Human Radiation Experiments in late 1993 after disclosure of the plutonium experiments.

The committee members were "morally outraged" by the plutonium experiments and recommended victims' families receive financial compensation even if direct physical harm cannot be proven, said Dr. Ruth Faden, the panel's chairwoman.

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NEW YORK DAILY NEWS OCTOBER 4, 1995

Sorry for human tests: Bill

WIRE SERVICES

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WASHINGTON — Closing a chapter three decades of human radiation experiments, President Clinton yesterday apologized to the unwitting victims and ordered the government to find a way to compensate them. He issued the apology after accepting an advisory panel's 900-page report urging the government to compensate the victims if they were clearly misled and suffered physical harm in the tests.

On behalf of another generation of American leaders and another genera-

tion of American citizens, the United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities," Clinton said.

Most of the Cold War-era experiments — performed on thousands of people at hospitals, universities and military bases — were done ethically, Clinton said.

But others were wrong, even by the standard of the times, and were hidden from the public, he said.

"They were shrouded not for a compelling need for national security, but

for the simple fear of embarrassment," Clinton said.

The panel recommended compensating families of 18 hospital patients injected with plutonium without their knowledge in the 1940s.

It also called for compensation in connection with the experimental injection of a person in the 1940s with zirconium, and a World War II-era experiment in which individuals were subjected to whole-body radiation.

But the panel said it needed more evidence before recommending compensation in other experiments, including the irradiation of prisoners'

testicles in Washington and Oregon, and research on pregnant women at Vanderbilt University in Nashville.

Promising to prevent future abuses, the president established the National Bioethics Advisory Commission to help shape policy regarding research on human biology and behavior. He also ordered a governmentwide review of research involving humans.

"We will no longer hide the truth from our citizens," he said.

Ruth Faden, the ethicist who headed the advisory panel, said the government must work to see that "what happened then never happens again."

Panel: compensate radiation victims

by H. Josef Hebert
Associated Press

WASHINGTON — A presidential advisory committee is urging the government to pay compensation to victims of human radiation experiments if they were clearly misled and suffered physical harm from the tests.

But the advisory panel in its report to President Clinton is singling out only three experiments where it says compensation clearly is warranted.

One of the three involved a man injected with plutonium at the Oak Ridge Hospital in 1945.

Other Oak Ridge experiments, 31 in all, were not among those singled out for criticism. Most of these were conducted by a cancer research hospital operated by Oak Ridge Associated Universities and its predecessor, the Oak Ridge Institute of Nuclear Studies.

Others were conducted at Oak Ridge National Laboratory, and one occurred at the Oak Ridge Y-12 Plant.

The panel says most of the 4,000 Cold War-era experiments it documented involved small amounts of radiation and "are unlikely to have caused physical harm."

The 14-member panel also recommends against the government notifying victims of radiation tests or conducting medical follow-up tests, concluding that in most cases that would be of little benefit.

Instead, Clinton today was expected to immediate-

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PANEL:

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ly accept a recommendation to speed the release of documents and improve their accessibility to the public, so that individuals seeking information about radiation experiments will have new sources for their research, said sources familiar with the panel's findings.

Clinton directed the Advisory Committee on Human Radiation Experiments in late 1993 to investigate Cold War-era radiation testing on humans and recommend a compensation policy.

Ruth Faden, the panel's chairwoman, said Monday that committee members were "morally outraged" by the plutonium experiments and recommended that the victims' families receive financial compensation even if direct physi-

cal harm cannot be proven.

"There was active misrepresentation. You can call it lying" to the subjects of the plutonium experiments and their families, said Faden, an ethics professor at Johns Hopkins University.

The panel also recommended financial compensation in connection with the experimental injection of a person in the 1940s with zirconium and a World War II-era experiment in which individuals were subjected to whole-body radiation.

The cases involved "deliberate attempts ... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the presidential panel concluded, calling the experiments "assaults on privacy and individual rights."

The advisory committee was less certain about how to deal with some of the other questionable Cold War-

era experiments, various details of which have surfaced in recent years.

These cases included the irradiation of prisoners' testicles in Washington and Oregon, experiments involving children at the Fernald School in Massachusetts, and research on pregnant women at Vanderbilt University in Nashville.

"It's possible that people there were harmed. And if they were harmed, they ought to be compensated," said Faden.

The committee outlined a "framework" that calls for compensation in any experiments where subjects were deliberately misled and did not give clear consent, and physical harm can be shown. Faden said the committee did not rule out eventual compensation in connection with these and other experiments, but did not have enough information to recommend compensa-

tion at this time.

Referring to the low-dose radiation experiments at the Fernald School, the report said "there is sufficient evidence that wrongs were committed" and urged an apology.

The experiments reviewed by the panel took place over three decades beginning in the 1940s.

Faden told reporters the panel believed resoundingly that individuals have a right to know whether they were subjected to a government-sponsored experiment, but the process should start by providing them efficient access to documents.

"It is absolutely imperative that this nation never again conduct secret research on human subjects," Faden said. "We don't want 50 years from now there to be another committee ... investigating allegations of abuses of human subjects."

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Portland, OR

OCT 04 1995

President apologizes for testing on humans

The chief executive says the government failed in its duty to tell the truth about radiation experiments from 1944 to 1974

BY MARLENE CIMONS

LA Times Washington Post Service

WASHINGTON — President Clinton apologized Tuesday to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments. He ordered his Cabinet to devise a system of relief — including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

And, in proposing a system of retribution, he added, "We know there are moments when words alone are not enough."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

Although the panel studied about 4,000 radiation experiments that took place during that period, it recommended that only a handful of victims receive compensation. Panel members specifically cited three experiments, including one project where 12 hospital patients, most of them terminally ill, were unknowingly injected with plutonium to determine how long the substance remained in their bodies.



WILLIAM LEE/ASSOCIATED PRESS

President Clinton holds a copy of the report from the Advisory Committee on Human Radiation Experiments on Tuesday at the White House.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

Nevertheless, administration officials appeared to leave the door open for additional restitution, it warranted.

Energy Secretary Hazel O'Leary said in an interview that there could be "thousands, many thousands" of individuals who deserved payment, but she stressed that both the government and the panel had been hampered by poor or nonexistent record-keeping during that time period.

Since her department's investigation began, "of the 10,000 calls we received, about 3,000 individuals gave us enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 60 names," she said.

In the case of the 18 subjects of plutonium injections, however, she said discussions regarding compensation would begin immediately with their families.

The experiment, conducted between 1945 and 1947, was deemed necessary at the time to assess the risks that workers faced when exposed to such materials.

One patient was injected at Oak Ridge Hospital in Oak Ridge, Tenn.; 11 at the University of Rochester; three at the University of Chicago; and three at the University of California.

O'Leary said the funds would come out of her department's budget.

"We are ready and willing to begin a negotiation," she said. "One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Clinton also ordered a review of the procedures involving all government-sponsored research on humans and said he will create a bipartisan advisory commission to police the research process.

October 4, 1995

Clinton apologizes, vows compensation for victims of radiation tests

P. A5 By Marlene Cimonis
LOS ANGELES TIMES

WASHINGTON — President Clinton yesterday apologized to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his cabinet to devise a system of relief — including financial compensation.

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one we can never walk away from."

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The committee also recommended that several subjects of total body irradiation experiments conducted

during World War II, and the subject of a zirconium-injection experiment, known only as Cal-Z, be included.

But administration officials appeared to leave the door open for additional restitution, if warranted.

Energy Secretary Hazel R. O'Leary said in an interview that there could be "many thousands" of individuals who deserved payment, but stressed that both the government and the panel had been hampered by poor or nonexistent record-keeping.

During her department's investigation, "of the 10,000 calls we received, about 3,000 individuals gave us

enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 50 names," she said.

As for the 18 subjects of plutonium injections, however, she said talks with their families regarding compensation would begin immediately.

The experiment, conducted between 1945 and 1947, was deemed necessary at the time to assess the risks that workers faced when exposed to such materials.

One patient was injected at Oak Ridge Hospital in Tennessee; 11 at the University of Rochester, N.Y.; three at

the University of Chicago, and three at the University of California.

O'Leary said the funds would come out of her department's budget.

"We are ready and willing to begin a negotiation," she said. "One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Clinton also ordered a review of procedures involving all government-sponsored research on humans, and said he would create a bioethics advisory panel to "see to it that never again do we stray from the basic values of protecting our people."

October 4, 1995

Throughout the nation, a pause to hear decision

From wheatfields to the White House, activity stopped. People dropped what they were doing.

P A24 By Heather Dewar
INQUIRER WASHINGTON BUREAU

For a moment, the whole nation stood still.

In California, golfers checked their swings on the windswept links of the Pebble Beach Country Club. In a Kansas wheatfield, a farmer stopped amid his freshly planted winter crop to turn on a radio.

Outside Minneapolis, slot machines fell silent at Mystic Lake Indian Casino. And on the New York Cotton Exchange, trading in frozen orange juice futures came to a halt when all the traders decamped to a local bar.

Even in the White House, activity came to a momentary halt yesterday. President Clinton left the Oval Office to watch on television as a Los Angeles jury pronounced Orenthal James Simpson not guilty of the murders of Nicole Brown Simpson and Ronald Goldman. The time was 1:09 p.m., Eastern Daylight Time.

Americans may have been divided by their reactions to the Simpson verdict, but they were united by their fascination with the double-murder case and its excruciatingly tense closing moments.

The Simpson verdict probably attracted the largest daytime television audience in U.S. history. "It's going to be a monster," predicted Jack Loftus, vice president of communications at Nielsen North America, the television ratings service.

At the Salt Lake City headquarters of the Church of Jesus Christ of Latter-day Saints, "things slowed down for 10 minutes, then everybody said, 'OK. Back to work,'" said Clayton Newell, a spokesman for the de-

nomination.

So compelling was the denouement of the Simpson drama that even powerful Washingtonians who are used to commanding the nation's attention recognized that they had been upstaged.

Energy Secretary Hazel O'Leary and Health and Human Services Secretary Donna Shalala changed the time of a news conference on Cold War-era secret radiation experiments to avoid conflict with the verdict. Sen. Sam Nunn (D., Ga.) delayed by one week an Atlanta news conference at which he was expected to announce whether he intended to retire in 1996.

At 12:58 p.m., President Clinton took a break to watch the verdict in his secretary's office with several top staffers. Clinton's expression was "somber" but he said nothing as Simpson was declared not guilty, according to White House press secretary Michael McCurry.

The President then wrote a terse statement by hand. It read: "The jury heard the evidence and rendered its verdict. Our system of justice requires respect for their decision. At this moment our thoughts and prayers should be with the families of the victims of this terrible crime."

The verdict was flashed live to military installations around the world via the Armed Forces Radio and Television Satellite network. Lt. Col. Glenn Brady, the network's operations officer, said the military took ABC's live feed of the event, encrypted it at an Air Force facility in California, and then sent it off through satellites and ground stations.

The military also used a special

satellite feed to inform the crew of one Navy ship in the Persian Gulf. A short time after the verdict was announced, the aircraft carrier Independence placed an urgent maritime satellite call to Navy officials in the Pentagon. The "Indy" had been conducting flight operations and had missed the broadcasts of the verdict.

Public affairs officers pulled out a videotape of the verdict and replayed it while someone held the phone receiver next to the TV speaker. A Navy spokesman said the tape was piped throughout the Independence and probably was relayed to other vessels in its battle group as well.

At the nation's major stock and commodities exchanges, traders reacted with a mixture of emotions — but quickly resumed their business.

"It was dead, dead, dead at 1 o'clock," said Trudi Schraner, a trader at Neuberger & Berman, a New York money-management firm. "Trading basically stopped."

"People were placing bets," she said. "I can't remember the last time there's been a reaction like this in the 10 years I've been trading."

At the Chicago Board of Trade, the country's biggest commodities exchange, dozens of TV sets were tuned to the trial.

"There was an immediate reaction on the floor," said spokeswoman Deborah Kostroun. "Some people couldn't believe it and some people were cheering. It lasted less than half a second."

Rocky Mountain News

Wed., Oct. 4, 1995

26A ■ ★★

'When the government does wrong, we have a **Clinton apologizes for**

**Advisory panel reports
on tests in Cold War**

By Karen MacPherson

Scripps Howard News Service

WASHINGTON — President Clinton apologized Tuesday to victims — or their surviving family members — who were harmed by human radiation experiments conducted by the federal govern-

ment during the Cold War.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said.

Clinton issued the apology during a White House ceremony at which he accepted the final report of the Advisory Committee on Human Radiation Experiments.

Several victims of the experiments and their families attended. At the end, Clinton went down into the audience and reached out

to them, including Emma Craft of Nashville, Tenn.

Holding a large photograph of her daughter, Carolyn, Craft told Clinton about her daughter dying of cancer in 1959, 11 years after Craft believes Vanderbilt Hospital gave her radioactive iodine when she was pregnant as part of a government-funded radiation study.

The Vanderbilt study, which is the focus of a class-action lawsuit, is one of 4,000 government-spon-

moral responsibility to admit it.' — President Clinton

radiation experiments

sored Cold War experiments involving tens of thousands of people that are detailed in the advisory committee's 900-page report.

The advisory panel found that "wrongs were done" in some of the experiments, including a top-secret test from 1945-1947 in which 18 people were injected with plutonium without their knowledge or consent.

The details of that case, re-

vealed by *The Albuquerque Tribune* in a Pulitzer Prize-winning series in November 1993, led Clinton to form the advisory committee in 1994. The *Tribune* is a Scripps Howard newspaper.

Calling the committee's report a "monumental document," Clinton said it marked an important step to fighting past wrongs. He added that its lessons "must be engraved on our national memory."

October 4, 1995

Report reveals motives, methods of experiments

Lab worker's accident prompted secret tests to learn safe radiation levels, monitor exposure

By Karen MacPherson

Scripps Howard News Service

WASHINGTON — Don Mastick was working at the Los Alamos National Laboratory in August 1944 when a glass vial containing plutonium burst, splattering the radioactive material on his face and into his mouth.

Mastick, a 23-year-old chemist, immediately rushed to the office of Louis Hempelman, Los Alamos' health director. Hempelman pumped Mastick's stomach and ordered Mastick to retrieve the plutonium — the lab's entire supply — from the contents.

Today Mastick says he has suffered no apparent ill effects from the experience. But his accident helped spark an intensive program of human-radiation experiments during the next three decades.

Just in the last two years, the story of the human radiation experiments has come to light. In 1993 *The Albuquerque Tribune* identified 17 of 18 people who were injected with plutonium without their knowledge or consent.

The White House Advisory Committee on Human Radiation Experiments took 18 months to unearth and interpret the full story of the government's role in human radiation experiments.

On Tuesday Clinton released the committee's 2,000-page re-

port, much of it detailing what the 14-member advisory committee calls "a matter for national regret."

Here's an overview of what the committee discovered.

Goal was to determine safe level

The goal of the human radiation experiments was clear: Scientists sought to determine how much exposure to radioactive materials was safe for workers in the burgeoning atomic industry. Their quest was further spurred by the Cold War nuclear-arms race.

At the same time, scientists also conducted experiments to test the tools of the new field of nuclear medicine. Using radioisotopes provided by the federal government, these scientists created treatments that have saved countless lives in the past 50 years.

From 1944 to 1974, government-sponsored scientists conducted at least 4,000 human radiation experiments on tens of thousands of people.

Most of these tests, involving small "tracer" doses of radioactive materials, probably caused little harm and greatly helped advance nuclear medicine and radiation science.

Some experiments, however, presented a darker side, in which the ends — safeguarding nuclear workers, soldiers or citizens — were used to justify the means — using unwitting people as guinea pigs.

In some experiments, scientists injected people with plutonium and other radioactive substances

See **RADIATION** on 34A

CONTINUED

October 4, 1995

CONTINUED**RADIATION** from 26A

without their subjects' knowledge or consent. In others, they fed radioactive cereal to mentally retarded children or measured the radioactive exposure of Navajo Indian uranium miners without warning them that they were courting near-certain death.

Some scientists seemed to favor experimentation on the most vulnerable: newborns, nursing mothers, mentally retarded children, comatose patients, prison inmates and poverty-stricken minorities.

These questionable experiments often were stamped "top secret" as scientists used the cloak of national security to justify and hide their actions. Government officials cooperated, fearing lawsuits and public embarrassment if the details leaked.

Much of the behavior recounted by the report would be prohibited under current guidelines, established by the government in 1974.

But the advisory committee believes even those guidelines should be beefed up and the issue of ethics be given a prominent place in all government research.

Subjects unwittingly injected

In 1944 scientists were zealous to protect researchers and workers in the nascent nuclear industry.

Mastick's accident convinced top Manhattan Project officials that they needed to perform human

experiments to determine how to detect radioactive substances in workers' bodies. Most importantly, they wanted to develop standards that allowed them to protect atomic workers from overexposure to radioactive materials.

On April 10, 1945, federal researchers injected the first of 18 people with plutonium. Ebb Cade was a 53-year-old African-American who worked as a cement mixer in Oak Ridge, Tenn. He had been hospitalized at the Oak Ridge Army Hospital since an auto accident two weeks earlier.

Cade wasn't told about the plutonium injected into his body.

During this time, federally funded researchers also conducted experiments in which unwitting patients at the University of Rochester in New York were injected with uranium and polonium.

Although it was common for physicians to use patients as experimental subjects, the tests usually offered a medical benefit. Not so with the radiation experiments.

Later, some of the researchers claimed that only those people diagnosed as terminally ill or with a short life expectancy were used. But several of the 18 people injected with plutonium survived for decades, including those misdiagnosed with terminal illnesses at the time of the experiments.

The plutonium experiments provided crucial data that allowed scientists to develop a system to

monitor the exposure of nuclear workers to radioactivity. The system is still used today.

When the Atomic Energy Commission was created on Jan. 1, 1947, officials were stunned to learn of the circumstances of the plutonium experiments. They issued a policy to ensure that subjects used in experiments knew about the tests. Then, details of the plutonium injections were declared "top secret."

Although the tests' results were published in scientific journals, the full story wasn't revealed until years later. Even during a 1970s follow-up, families of plutonium victims were lied to by officials seeking permission to exhume the victims' bodies.

In fact, until the *Tribune* published the names of 17 of the 18 people injected, surviving family members had no idea what had happened to their loved ones.

Scientists were excited about the healing benefits offered by nuclear medicine, and the AEC actively promoted the use of radioisotopes in human research.

Meanwhile, the Defense Department was researching the effects of nuclear weapons.

Although the tests focused on how well the weapons worked, scientists quickly saw a need and an opportunity to gather data on the effects on humans. More than 200,000 people, including civilians, were involved in the tests during the 1950s.

3/2

SEATTLE POST INTELLIGENCER
Seattle, WA
OCT 03 1995 B1

Panel calls for narrow amends on radiation tests

By LARRY LANGE
FI REPORTER

A presidential panel today will call for notifying and compensating people who took part in three of the 4,000 human radiation experiments conducted nationwide during the Cold War.

No experiments done in the Northwest were included among the three judged worthy of compensation.

A report by a 15-member panel said the three experiments, all involving people deliberately injected with or subjected to radiation in the 1940s, indicated deliberate attempts "to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment." The panel called the experiments "assaults on privacy and individual rights."

Even before the panel's recommendation to President Clinton was announced, it drew criticism from radiation victims who characterized it as too narrow.

The report was scheduled to be formally announced and presented to Clinton in a White House briefing today. A draft was obtained by the Associated Press yesterday and its contents confirmed by panel staff.

The report said most of the tests posed little long-term health risk to people who took part and said the federal government should not contact or provide medical follow-ups for survivors of those purportedly low-risk experiments, a group whose numbers are estimated to be in the tens of thousands.

Most of the experiments, performed to test the effects of radiation on humans, involved adults being given low doses of radioactive tracer elements that "are unlikely to have caused physical harm" or result in long-term health problems, the panel said.

The conclusions disappointed Washington state officials, who had hoped there would be medical follow-ups on some inmates at the state penitentiary who underwent radiation exposure to their testicles in the early 1970s. Tests also were conducted on Oregon state inmates at about the same time.

Some said the panel's ruling seemed designed to protect the government from lawsuits.

"It was a political decision," said Al Conklin, a radiation expert and manager of air emissions and defense waste for the Washing-

ton state Health Department.

It also left the survivor of one experiment saying he may go to court to get the federal government to pay for medical follow-ups.

"This has to be done, and somebody has to do it," said Harold Bibeau, a Troutdale, Ore., resident whose testicles were irradiated when he was an Oregon state prison inmate.

Clinton ordered the review of the experiments in 1993 after details about the tests were made public. The tests were conducted from the mid-1940s until the early 1970s to learn more about radiation's effects on humans.

It was not clear what Clinton will do in response to the recommendations. Energy Department spokeswoman Jayne Brady said the report being presented to Clinton will include suggestions for actions.

Panel counselor Steve Klaidman said the group decided compensation should be paid to test participants facing more than a one-in-1,000 chance of cancer because of the tests. It should also be paid in cases where treatments are available for health problems caused by the experiments.

In one of the three cases where compensation was deemed warranted, the Energy Department's predecessor, the Atomic Energy Commission, sponsored tests from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were injected with radioactive plutonium. In another case, a patient at the University of California was injected with radioactive zirconium in 1948. In the third test, 29 people received doses of radiation throughout their bodies from 1942 to 1945.

The panel said all three experiments were concealed from their subjects.

The panel said it could not find enough information to warrant recommending compensation for other tests. Those include the experiments on Washington and Oregon state prison inmates, school children in Massachusetts and pregnant women in Tennessee.

Bibeau, an Oregon state inmate during the early 1970s, said he and other Oregon inmates were told the radiation might cause chromosomal damage and skin burning that would last three or four days, but not about the periodic skin rashes he and others have suffered.

The man who conducted the tests, Dr. Carl Heller, acknowledged after the tests that he didn't tell the inmates about all possible health effects "because he didn't want to frighten us," Bibeau said. Heller died in 1983.

Bibeau, 53, said he has reported those and other radiation-related health problems to the Energy Department but has so far received no help. He said he thinks the panel is trying to protect the government from lawsuits.

"I think their recommendation should have been stronger," he said. Inmates, lacking complete information, "never did make informed consent because we were lied to about our long-term chances of having a problem."

Conklin of the state Health Department said a state review of the prison experiments showed inmates got doses as high as 400 to 600 "rem" of radiation to the testicles at times. (A rem is a unit of radiation absorption by the body). The doses may have placed the inmates at increased cancer risk.

"Some were told about the effects (like) a minor sunburn," Conklin said. "Four hundred rem would do more than a sunburn, it could render you sterile for years."

Conklin said his agency recommended that the panel have medical follow-ups done on the prisoners to check their health. The panel, according to the draft, rejected the idea.

■ This report includes material from The Associated Press and the New York Times.

THE OREGONIAN
Portland, ORA5
OCT 03 1995

Radiation tests had little effect

A panel finds that most people who underwent federal experiments during the Cold War should not be compensated

By H. JOSEF HEBERT

The Associated Press

WASHINGTON — Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effects and should not be compensated, according to an advisory panel's report to the president.

The panel, which documented about 4,000 radiation experiments in an 18-month study, said it found only three cases — involving roughly 30 individuals — where compensation clearly was warranted.

However, other cases might warrant compensation when more information about them is determined, it said. The experiments, many of them highly secret, occurred during three decades beginning in the 1940s.

The findings by the 14-member Advisory Committee on Human Radiation Experiments were submitted to the White House on Monday. President Clinton was expected to outline the government's response, including future actions, at a ceremony Tuesday.

Dr. Ruth Faden, the panel's chairwoman, said Monday that the committee sought to establish a clear framework that calls for compensation in any experiments where subjects were deliberately misled, did not give clear consent and suffered physical harm.

Only three experiments, including the deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments. And it recommended against formal medical followup of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing more information about possible human experimentation.

AP obtains draft copy

A draft copy of the nearly 1,000-page report was obtained by The Associated Press.

The report concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission. In the tests, 18 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections. The other two cases that the panel said warranted compensation involved a person who was injected with zirconium and an experiment in which individuals were subjected to whole-body radiation, both in the 1940s.

The advisory committee was less certain about how to deal with some of the other more questionable Cold War-era experiments, various details of which have surfaced in recent years.

In many such cases a formal government apology and financial compensation might be warranted, but as yet not enough information is available to make such a decision, the panel said. These cases included the irradiation of prisoners' testicles in Oregon and Washington, experiments involving children at the Fernald School in Massachusetts and research involving pregnant women at Vanderbilt University in Tennessee.

TRI-CITY HERALD
Tri-Cities, WA

OCT 03 1995

Panel against radiation-test compensation

By The Associated Press

WASHINGTON — Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effect and should not be compensated, an advisory panel says in its report to the president.

The panel, which documented some 4,000 radiation experiments in an 18-month study, said it found only three cases — involving roughly 30 individuals — where compensation clearly is warranted.

However, other cases may warrant compensation when more information about them is determined, it said. The experiments, many of them highly secret, occurred over three decades beginning in the 1940s.

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Dr. Ruth Faden, the panel's chairman, said Monday that the committee sought to establish a clear "framework" that calls for compensation in any experiments where subjects were deliberately misled, did not give clear consent and where physical harm can be shown.

Only three experiments, including the deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments. And it recommended against formal medical followup of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing more information about possible human experimentation.

Faden, speaking to reporters at a briefing, said the panel believed resoundingly that individuals have a right to know whether they were subjected to a government-sponsored experiment. But that process, she said, should start by providing individuals efficient access to documents.

Among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them, said Faden, a bioethicist at Johns Hopkins University. Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel found.

A draft copy of the nearly 1,000-page report was obtained by The Associated Press.

It concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns.

"The damage is not physical injury, although this, too, did occur in some cases, (but) the pain felt by people who believe that they or their loved ones were treated with disrespect," the report said.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission in which 18 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections.

The other two cases the panel said warranted compensation involved a person who was injected with zirconium at about the same time as the plutonium experiments, and an experiment in which individuals were subjected to whole-body radiation, also in the 1940s.

Panel Urges U.S. to Apologize for Radiation Testing and Pay Damages

By PHILIP J. HILTS **A19**

BOSTON, Oct. 2 — After reviewing 30 years of Government-sponsored radiation experiments on humans, a Presidential Committee has concluded that many were unethical and that the Government should apologize.

The committee also recommended that the Government compensate the patients for at least nine experiments in which they were subjected to radiation without their knowledge and the experiments were concealed from the public.

As far as many other experiments, the committee said there was not enough evidence to say whether apology or compensation was merited, but the search for such evidence should continue, the committee concluded.

The experiments took place in a period between 1944 and 1974. Several of the most egregious ones had come to light earlier, prompting Energy Secretary Hazel O'Leary to recommend a full inquiry, which led to the President's Advisory Committee on Human Radiation Experiments, which worked for 18 months.

The nine experiments for which it recommended apologies and compensation included:

¶ A series of experiments from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were injected with radioactive plutonium without their knowledge.

¶ A series conducted from 1942 to 1945 at three universities in which 29 patients were given radiation over their entire bodies, mainly to see the effects on the body rather than to

A committee says the search for evidence should continue.

treat the patients, and the experiments were concealed.

¶ An experiment in 1948 in which a patient at the University of California was injected with radioactive zirconium, and the experiment was concealed.

¶ Total body irradiation performed at the University of Cincinnati and other universities on hundreds of patients from 1950 until the early 1970's, which was called "therapeutic" as well as experimental.

¶ An experiment in which the testes of 131 prisoners in Oregon and Washington were irradiated from 1963 to 1973.

¶ An experiment at the University of Rochester in the 1940's in which six patients were injected with uranium, plus several experiments at Harvard University.

¶ A trial in which radioactive iodine was given to hundreds of children at schools for the retarded in Massachusetts from the 1940's to the 1960's.

¶ In 1956 and 1957, the United States Air Force administered radioactive iodine to 120 people, most of them Eskimos and Native Americans.

¶ At Vanderbilt University in the 1940's, 820 pregnant women were given small doses of radioactive iron.

Besides these experiments, there was another case the panel's chair-

woman, Dr. Ruth Faden of Johns Hopkins, said that "we were all outraged about. What was done to the uranium miners, though it was not an experiment and not directly under our charge, was unconscionable."

The committee found that the several thousand workers who mined uranium for the Government to make the atomic bombs were exposed to relatively high levels of radiation. Officials knew of the hazard, and were aware that simple ventilation of the mines could significantly reduce it but took no action and did not inform the miners, Dr. Faden said.

In statements today, lawyers and doctors who represent some victims of the experiments praised the committee's work in unearthing so many new documents but criticized it for not finding more fault with the Government and its scientists.

E. Cooper Brown, a lawyer and member of the executive committee of the Task Force on Radiation and Human Rights, an umbrella group for radiation victims, said that "Now we have a far more complete picture." But he faulted the panel for saying it lacked the staff to locate and notify all those who might have been subjects of experiments.

"When they heard that, the victims' community hit the roof," Mr. Brown said. "Also, the people in these experiments have a right to know, they were denied consent and have a right to decide for themselves whether they should consult a physician. What the committee has done tends to perpetuate the original crimes."

Dr. David S. Egilman, of Brown

The New York Times

Circ: 1,145,890

OCT - 3 1995

CONTINUED

University said, "Where does the Government come off setting such a high standard for apologies? If I step on someone's toe, I apologize." He said it was important to note that members of the panel were themselves from the institutions where the experiments were carried out, such as Harvard and Johns Hopkins Universities.

Dr. Faden, an ethicist whose parents were both survivors of concentration camps, said in an interview on Thursday that the most difficult problems the group faced were the lack of documentation to say just what happened in the experiments carried out on thousands of people, and then, by what standards ethical violations should be judged.

"We made judgments as best we could, and concluded there were some wrong things done that were wrong today and wrong then — 40 or 50 years ago. Others, we felt were wrong today, but by the standard of the time, it would be hard to hold them out for great blame."

As to the notification of those who were subjects in the experiments, she said, "We as a committee made an absolute commitment to the position that, first, every American citizen should be able to find out what happened and how the government conducted itself, and second, whether they or a loved one was involved in an experiment."

"But it became clear early on in our research," she added, "that we were not talking about hundreds of cases, but about many thousands of cases. Even with huge efforts and years of time would could not recover all the lists of patients in all those experiments."

Instead, the committee created what Dr. Faden called "a road map" to the committee's documents and other records, a citizen's guide to help anyone trace experiments and whether they might have been part of one. The committee's entire record of evidence will be placed in the National Archives.

The committee's report has been passed on to President Clinton, who is expected to hold a press conference on the issue on Tuesday.

New York: 212-309-1400
Chicago: 312-541-2020
Detroit: 810-344-1177
Boston: 617-536-2232
Philadelphia: 215-567-7600
San Francisco: 415-395-9131
Miami: 305-358-3358
Washington: 301-656-4068
Los Angeles: 213-466-6124

TRANSCRIPT

FOR DEPARTMENT OF ENERGY **STATION** WJLA
ABC TV Network

PROGRAM ABC World News Tonight **CITY** Washington, D.C..

DATE October 3, 1995 **AUDIENCE**

SUBJECT Radiation Testing

BROADCAST EXCERPT

PETER JENNINGS: In Washington, the Presidential panel has recommended compensation to about 30 people exposed to radiation in secret government experiments during the Cold War. The panel investigated more than 4,000 human radiation tests. Most, it said, caused little harm. But in several serious cases victims were injected with radioactive elements without being told.

In an extraordinary statement today, President Clinton apologized to the unwitting victims.

TRANSCRIPT

FOR DEPARTMENT OF ENERGY STATION PBS TV

PROGRAM The MacNeil/Lehrer Newshour CITY Washington, D.C.

DATE October 3, 1995 7:00 PM AUDIENCE

SUBJECT Radiation Testing

BROADCAST EXCERPT

ROBERT MacNEIL: Also today the President apologized to the unwitting victims in human radiation tests carried out by the government between 1944 and 1974. He promised to seek monetary compensation for some of the victims.

Mr. Clinton made the apology after receiving a 900 page report from the advisory panel which investigated the secret tests. The panel said some 4,000 experiments were purposely concealed to avoid potential liability and public embarrassment. The President spoke at a White House ceremony.

PRESIDENT BILL CLINTON: While most of the tests were ethical by any standards, some were unethical not only by today's standards but by the standards of the time in which they were conducted. They failed both the test of our national values and the test of humanity. The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from. Our government failed in that duty and it offers an apology to the survivors and their families, and to all the American people who must, who must be able to rely upon the United States to keep its word, to tell the truth, and to do the right thing.

MacNEIL: The President said he would name a National Bio-Ethics Advisory Commission to shape research policy and prevent future medical abuses. He also ordered a government-wide review of all research involving human subjects.

A1 World-Wide

O.J. SIMPSON WAS ACQUITTED after a yearlong double-murder trial.

Nearly 16 months after his arrest, a Los Angeles jury found the ex-football star not guilty in the slayings of his former wife, Nicole Brown Simpson, and her friend Ronald Goldman. Simpson looked toward the jury and mouthed, "Thank you." Less than an hour after the verdicts were read, Simpson returned to his Brentwood mansion, where he was arrested in June 1994. He issued a statement expressing relief that "this part of the incredible nightmare" is over. Public reaction to the trial's outcome showed how deeply Americans were divided by race over the case. (Related articles in Column 1 and on Page B1)

The televised verdict brought business activity to a halt nationwide as phones stopped ringing and workers gathered around TV sets.

Clinton vetoed a bill funding Congress's own budget, and chastised lawmakers for adding "wasteful" projects to a military construction bill. House Speaker Gingrich and Senate Majority Leader Dole said the action "certainly won't make it any easier for Congress to deal with this White House." (Article on Page A16)

Macedonia's leader was critically hurt in a car bomb attack in Skopje. President Gligorov, 78, who led Macedonia to independence, lost one eye and underwent surgery for the removal of shrapnel from his skull, according to diplomatic reports. Police arrested two men at the scene of the blast, which killed Gligorov's driver.

A blood-clot dissolver shows promise in treating some stroke victims but is dangerous for others, a large-scale experiment in Europe found. The mixed results came in a study of the genetically engineered blood-clot dissolver TPA, which is often used to treat patients with heart attacks. (Article on Page B14)

Pope John Paul II arrives in New York today to begin a five-day visit to the U.S. The pontiff will address the U.N. General Assembly, confer with President Clinton and preach at several huge outdoor Masses.

Thousands of Louisiana residents began leaving low-lying communities as Hurricane Opal churned across the Gulf of Mexico, threatening the coastline and scores of offshore oil and natural-gas platforms.

High-fat diets may promote the growth of prostate cancer, an experiment in laboratory mice indicated. The finding prompted researchers to suggest that experiments be undertaken in men who have a high risk of developing prostate cancer to see if lower fat consumption can reduce the risk. (Article on Page B12)

Clinton apologized to the unwitting victims of Cold War-era radiation experiments and urged that compensation be paid. He issued the apology after accepting an advisory panel's report saying compensation is clearly warranted to victims of three of the 4,000 experiments, and that the rest "are unlikely to have caused physical harm."

The elderly could get stuck with sharply higher premiums in the Medicare plans that Republicans want to enact, Health and Human Services Secretary Shalala said. A GOP spokesman said Shalala was "engaging in another scare tactic."

Fighting intensified in Bosnia as government troops and rebel Serbs battled to seize territory. The clashes overshadowed mediation efforts by U.S. peace envoy Holbrooke. Meanwhile, Serbs agreed in principle to the return of Croatian authority over eastern Slavonia, a small region that was seized in the 1991 Serb-Croat war.

French Prime Minister Juppe dismissed accusations that paramilitary gendarmes acted improperly last week in killing suspected Algerian terrorist Khaled Kelkal. In Algiers, meanwhile, gunmen killed the editor of Algeria's main Arabic newspaper.

Syria's foreign minister called on the U.S. to fulfill what he said was a commitment to secure Israel's complete withdrawal from the Golan Heights and southern Lebanon. In a speech to the U.N. General Assembly, Al-Shara also criticized agreements reached between Israel and the PLO.

The Sri Lankan army claimed it killed more than 200 Tamil Tiger rebels as fighting raged for a third day on the northern Jaffna peninsula. The rebels said 50,000 residents had been left homeless by the fighting.

Little harm found in radiation tests

Study says most subjects shouldn't get compensation

ASSOCIATED PRESS

P. 3

WASHINGTON—Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no longlasting effect and should not be compensated, an advisory panel says in its report to the president.

The panel, which documented about 4,000 radiation experiments in an 18-month study, said it found only three cases—involving roughly 30 people—in which compensation clearly is warranted.

However, other cases may warrant compensation when more information about them is determined, it said.

The experiments, many of them highly secret, occurred over three decades beginning in the 1940s.

The findings by the 14-member Advisory Committee on Human Radiation Experiments, were submitted to the White House on Monday.

President Clinton is expected to outline the government's response, including future actions, on Tuesday.

Ruth Faden, the panel's chairman, said Monday that the committee sought to establish a clear "framework" that calls for compensation in any experiments in which subjects were deliberately misled, did not give clear consent and in which physical harm can be shown.

Only three experiments, including the deliberate injection of 18 people with plutonium in the 1940s, clearly met the panels' criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments.

And it recommended against formal medical follow-up of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for people wishing more information about possible human experimentation.

Faden, speaking to reporters at a briefing, said the panel believed resoundingly that people have a right to know whether they were subjected to a government-sponsored experiment. But that process, she said, should start by providing them efficient access to documents.

Among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them, said Faden, a bioethicist at Johns Hopkins University.

Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel found.

A draft copy of the nearly 1,000-page report was obtained by The Associated Press.

It concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns.

"The damage is not physical injury, although this, too, did occur in some cases, [but] the pain felt by people who believe that they or their loved ones were treated with disrespect," the report said.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission in which 18 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The advisory committee was less certain about how to deal with some of the other, more questionable Cold War-era experiments, various details of which have surfaced in recent years.

U.S. to Apologize to Some Victims of Radiation Tests

■ **Research:** A few dozen subjects of the most harmful experiments, or their families, could get compensation. Government secretly funded projects.

By MARLENE CIMONS
TIMES STAFF WRITER

48

WASHINGTON—A presidential advisory committee will recommend today extending an official apology and financial compensation to just a handful of the thousands of Americans who were unwittingly exposed to radiation in secret government-sponsored experiments in the years after World War II.

The committee studied nearly 4,000 experiments. But it concluded that only three, involving no more than a few dozen subjects, raised legal and ethical concerns severe enough to warrant offering apologies and compensation.

Although criticizing the conduct of federal officials and others involved, the commission concluded that apologies and compensation were not appropriate in most cases because most of the experiments—conducted between 1944 and 1974—posed little danger to participants.

The panel said it believed that people who were used as research subjects without their consent "were wronged, even if they were not harmed."

But it said it was "not persuaded that . . . financial compensation is necessarily a fitting remedy when people have been used as subjects without their knowledge or consent but suffered no material harm as a consequence."

An apology and compensation were called for, the report said, in instances where information about

the experiment was kept from subjects for the purpose "of avoiding embarrassment," or potential legal liability, "and where this secrecy had the effect of denying individuals the opportunity to pursue potential grievances."

Among the cases meeting this standard were those involving individuals used in experiments that offered "no prospect of direct medical benefit," and where injury from the experiments resulted.

Specifically, the panel recommended that apologies and compensation go to the families of 18 hospital patients, most of whom were terminally ill at the time, who were unknowingly injected with plutonium between 1945 and 1947.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, be included.

Noting that these cases have had a lasting impact on the country as a whole even though they occurred decades ago, the commission said: "The greatest harm from past experiments and intentional releases may be the legacy of distrust that they have left."

Hundreds of intentional releases of radiation "took place in secret, and remained secret for decades," the report said, and information about human experiments was kept secret "out of concern for embarrassment to the government, potential legal liability and worry that public misunderstanding would jeopardize government programs."

The work began at a time during World War II when many such studies were undertaken in secret to help understand radiation risks to workers involved in the development of the atomic bomb. This was long before it became standard practice to issue "informed con-

sent" to medical research subjects, laying out the risks and benefits of participation.

"It was commonplace during the 1940s and 1950s for physicians to use patients as subjects of research without their awareness or consent," the report said.

Federal investigators are "blameworthy" for not having had policies in place to protect subjects used in research who could not have medically benefited from the work, the panel said. Researchers were "less blameworthy" in instances where they believed the experiments might be therapeutic, the group added.

The plutonium experiment, for example, was designed to determine how much of the substance remained in patients' bodies after exposure. It was deemed necessary at the time to assess the risks that workers faced when exposed to such materials.

One patient was injected at Oak Ridge Hospital in Oak Ridge, Tenn.; 11 at the University of Rochester, N.Y.; three at the University of Chicago, and three at the University of California.

The report said panel members "struggled" with the question of when to recommend that the government extend an apology to individuals, but said their deliberations were complicated by "a murky historical record" where, in a majority of cases, "there was simply too little documentary evidence" to determine whether there was informed consent.

The panel recommended changes in informed consent procedures of today, saying they should more realistically reflect the expectations of the experimental therapies involved. Also, the panel said sometimes the informed consent documents are "incomprehensible" to lay people and should be improved.

Its members focused on eight

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different categories of radiation experiments. - These included the plutonium experiments and others involving materials used in atomic bombs; non-therapeutic research on children; total body irradiation; research on prisoners; the Atomic Energy Commission program of radioisotope distribution; human experimentation in connection with nuclear weapons testing; intentional environmental releases of radiation; and observational research involving uranium miners and residents of the Marshall Islands, who were exposed to radiation from nuclear tests.

The period of the experiments encompassed both the birth of the new field of radiation science and the evolution of more sophisticated concepts of biomedical ethics to protect human research subjects.

The experiments ended during a watershed year when the government recognized the need to protect human subjects.

The majority of experiments identified by the panel involved radioactive tracers administered in amounts similar to those used in research today.

Radiation victims offered help

By George Graham
in Washington

pk

President Bill Clinton yesterday offered a formal apology and the prospect of financial compensation to the victims of government radiation experiments during the Cold war.

Mr Clinton accepted the findings of a special committee set up to review the government's conduct in previously classified experiments, and directed his cabinet to set up a system for helping the victims, "including compensation that meets the standards of justice and conscience".

"While most of the tests were ethical by any standards, some were unethical not only

by today's standards but by the standards of the time in which they were conducted. They failed both the test of our national values and the test of humanity," Mr Clinton said.

Dr Ruth Faden, who chaired the advisory committee, said that most of the experiments involved the injection of low radiation doses, but one of the cases involved injecting plutonium into 18 patients without their knowledge.

In another case indigent cancer patients were exposed to excessive doses of radiation with little prospect that they could possibly benefit.

"Patients were used as subjects of experiments without their knowledge or consent. Information was withheld from

affected communities and from the public. Secrets were kept to protect the government from embarrassment and legal liability," Dr Faden said.

The committee did not recommend a widespread campaign to notify unwitting participants in radiation experiments or to provide medical treatment. It found no surviving participants who needed to be notified and given follow-up treatment.

A detailed database will, however, be made available to people who suspect that they or their relatives were subjected to radiation.

The committee also proposed changes to medical research rules to ensure that the same thing cannot happen again.

Clinton Apologizes for U.S. Radiation Tests, Praises Panel Report

By Gary Lee
Washington Post Staff Writer

AS

President Clinton yesterday apologized to survivors of thousands of government-sponsored radiation experiments and accepted an advisory commission's recommendation that some subjects of the Cold War radiation studies be granted financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton told a White House audience that included individuals who participated in the radiation research. "It offers an apology to the survivors and their families and to all the American people who must be able to rely upon the United States to tell the truth and do the right thing."

Clinton's statement brought a dramatic end to one of the most bitter sagas in American history. For a 30-year period beginning in the mid-1940s, the Atomic Energy Commission and other federal agencies sponsored 4,000 controversial radiation experiments, involving tens of thousands of subjects, many of whom had no knowledge that they were test cases.

The experiments varied widely, from a project in which researchers exposed subjects' entire bodies to heavy doses of radiation, to cases in which pregnant women were given radioactive iron to determine what levels would show up in their babies, to a series of tests in which radioactive substances were released into the atmosphere without nearby residential populations being informed.

Yesterday Clinton praised the report of the Committee on Human Radiation Experiments, a panel he appointed in January 1994 to review federal involvement in radiation research and determine what—if any—steps should be taken to compensate victims and safeguard subjects of current government-sponsored research.

Ruth Faden, director of bioethics at Johns Hopkins University and chair of the 14-member panel, formally presented the committee's 906-page report to Clinton yesterday.

The panel's verdict, Faden said, was that

wrongs were clearly committed. "What most troubled the committee was the lack of respect for the American people that seemed to permeate the conduct of research," she said. "The period we examined was defined by arrogance. People had trust in their doctors, but the doctors who did the research often took advantage of that trust."

The panel's report concluded with more than two dozen recommendations, ranging from a proposal for new laws to safeguard the public against research abuses in the future to new regulations guaranteeing that future research will be conducted with full public knowledge.

The panel also recommended that subjects in three studies—about 30 individuals altogether—should receive financial compensation for being subjected to dangerous experiments without their knowledge, sometimes with severe medical consequences. And it established guidelines under which subjects from other experiments might receive compensation or an official apology.

The committee concluded that most of the experiments involved low doses that did not cause long-term medical damage to participants and said that it found no surviving subjects for whom it would recommend medical follow-up examinations.

The panel nevertheless found that abuses of the past were still possible in contemporary research. In some cases, patients with serious illnesses sometimes have unrealistic expectations about the chance that they will benefit from participating in research, the report said. In others, consent forms appear to be overly optimistic in describing potential benefits.

Responding to the recommendations, Clinton directed the interagency task force on radiation, composed of representatives from agencies responsible for the radiation research, to make provisions for compensating some of the victims and to prepare a point-by-point response to the panel's proposals. Clinton also established the National Bioethics Advisory Commission to help set new policies regarding

research in human biology and a review of ongoing government research projects.

Organizations representing radiation experiment subjects complained that the panel's definitions of who should receive apologies and financial compensation were too narrow.

"Any unbiased observer would conclude that most, if not all the experiments violated prevailing ethical standards and that the subjects of the experiments deserve an apology," said David Egilman, a spokesman for the Task Force on Radiation and Human Rights.

Rep. Edward J. Markey (D-Mass.), who first raised questions about the controversial research in the mid-1980s, promised that Congress will consider proposals for laws protecting participants in radiation studies and other research. He said the tests' survivors will receive a full hearing before any laws governing guidelines for compensation are passed.

Copies of the report can be obtained by writing to the U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, Pa. 15250-7954, or by calling (202) 512-1800.

Study Details the Culture That Drove Experiments

Scientists Worried About Safety, Not Consent

By David Brown
Washington Post Staff Writer

ASB

The report by the Advisory Committee on Human Radiation Experiments presented to President Clinton yesterday has rewritten the history of medical experimentation in the United States.

The product of 18 months of research and the length of three doctoral dissertations, the document will be required reading for medical ethicists for years to come. It probably will stir intense debate in some quarters of medicine. It may even find a popular audience.

The 906-page report traces the history of radiation research from 1944, when government and university scientists worked secretly and furiously to build an atomic bomb, to 1974, when the federal Department of Health, Education and Welfare issued rules for protecting human subjects in government-sponsored research.

Information about some of this research has trickled out in court cases, newspaper articles, and government admissions during the last two decades. Medical historians have written about a few of the thousands of research projects that exposed the healthy, the ill and, in some cases, whole populations to radioactive sub-

stances. Never before, however, has the era's story been told in such detail.

Although it is difficult to generalize about the behavior of dozens of agencies and hundreds of researchers engaged in thousands of experiments, a general picture of Cold War medicine emerges from the report. It's a portrait of men endowed with what seems like surprisingly modern scientific insights and concerns—laboring in an antique world of conformist and paternalistic morality.

Like their counterparts involved in risky research today, the scientists and government officials of postwar America worried about lawsuits and bad press. At times they held sophisticated discussions of medical ethics. Even the seminal phrase "informed consent" was coined in 1947, 10 years earlier than medical historians had previously believed, according to secret papers the committee uncovered. Like present-day scientists, those of the 1950s worried greatly about the hazards of radiation, and strove hard to make their research safe.

Another picture emerges, as well.

Most medical researchers of 40 years ago felt little or no need to ask patients if they wanted to have experimental therapies that might treat or cure their illnesses. Few were trou-

bled by secretly enrolling patients into studies that, though not expected to cause harm, could not help them. It was a time in which prisoners and retarded people were enticed into research with small favors and deceptive explanations. It was a world in which agencies had high-sounding policies, but did little to disseminate or enforce them.

Surprisingly, very few people were physically harmed or killed as a result of thousands of medical experiments and environmental tests involving substances that everyone agreed were dangerous. Equally surprising, very few real heroes or villains emerge from the advisory committee's meticulous reconstruction of those events. Unlike other morally objectionable research—such as the Nazi death camp experiments or the notorious Tuskegee study of untreated syphilis in this country—many of the radiation experiments provided data that were and remain useful.

The report was written by the 14-member advisory committee, comprising mostly medical historians and ethicists, as well as one person representing the public. A staff of about 60 unearthed tens of thousands of documents, many of them declassified for the first time. The committee held 20 meetings, including four in places where survivors (or descendants of survivors) of medical experiments or "intentional releases" of radiation still live.

The report is unusual because of the breadth of activity that went into its creation.

The committee and staff are foremost historians. They analyzed letters, speeches, memos, minutes of meetings, press releases, medical charts and countless other documents, beginning with the Manhattan Project. They also functioned as investigative reporters, seeking out and querying subjects of radiation experiments and researchers who conducted them.

Seeking to understand the research milieu of the 1940s and 1950s, the staff carried out an oral history project, interviewing scientists who were starting their careers in various nonradiation fields of research four decades ago. To gauge how much has changed, the committee performed its own field work, asking patients in hospital waiting rooms what they knew and how they felt about medical experimentation.

Perhaps most important, the committee closely examined ethical principles and the question of how contemporary observers can judge the behavior of people, most of them dead, who lived and worked in another era.

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On that question, the committee distinguished between the rightness or wrongness of past actions, and the blameworthiness of those who carried out the actions. In general, the report is harsher on the actions than on the actors, many of whom were operating in a culture that accorded physicians and government agencies far more trust than it does today.

The committee, however, did not refrain from judging the morality of decisions. In particular, the report's authors argued that timeless principles—principles such as "one ought not to deceive others," which predate the "discipline" of medical ethics—should have chastened postwar researchers.

"Although there have been changes in ethical values in the United States between the mid-1940s and the present, it is implausible that these changes involved the rejection or affirmation of principles so basic as that it is wrong to treat people as mere means, wrong to inflict harm, or wrong to deceive people," the authors wrote. "Thus, the advisory committee's evaluations of the human radiation experiments in light of these basic principles is based on a simple and, we think, reasonable assumption that, even 50 years ago, these principles were pervasive features of moral life in the United States that were widely recognized and accepted, much as we recognize and accept them today."

A major feature in the post-war ethical landscape was the Nuremberg Code, a statement of principles that came out of the court trial of Nazi physicians who conducted medical research on concentration camp inmates. Among the code's provisions were that subjects of medical research must give their consent, that the research must be for the good of society and "not random in nature," that risk must be minimized and that subjects must be free to remove themselves from the research at will.

Some of these ideas—in particular the necessity of getting consent from subjects—were discussed as early as April 1947, when Carroll Wilson, the general manager of the Atomic Energy Commission, wrote to Manhattan Project officials, saying that "clinical testing" involving patients could go forward only if there was a prospect of medical benefit to the person, and only if consent was documented.

The secretary of defense adopted the Nuremberg Code as policy for atomic, biological and chemical warfare research by the military in 1953. This action was secret, and not revealed until 1975. There is little evidence the government made a concerted effort to make these new rules known to all researchers under its control, or to clarify many ambiguous issues, notably what "consent" meant in practice.

Nevertheless, the report shows, the notion that healthy people should not be exploited took hold earlier than the idea that sick people should not be exploited. In particular, the idea that patients could ethically be made part of "harmless" experiments that would neither improve nor worsen their conditions prevailed into the 1960s. The committee found, however, that scientists should have seen that the two groups—the healthy and the ill—were far more similar than different.

"Moral consistency requires the advisory committee to conclude that, if the use of healthy subjects without consent was understood to be wrong at the time, then the use of patients without consent in nontherapeutic experiments should also have been discerned as

wrong at the time, no matter how widespread the practice," the committee wrote.

The report, however, is not a history of shocking moral obtuseness by the leading lights of science two generations ago.

Overall, government agencies undertook more detailed ethical discussions than historians previously believed. Even during the Manhattan Project, there was widespread concern about exposure of workers to relatively low levels of radiation—a concern that carried over to postwar research that employed radioactive tracers to study physiology and treat cancer.

Scientists at times decided to forgo experiments because of potential risk to research subjects, as in the case of experiments that were proposed in the late 1940s as groundwork for a nuclear-powered airplane. Ultimately, the aircraft project was scrapped because it would have been too hazardous to pilots.

Curiously, national security was virtually never cited by either scientists or government officials as reasons to keep most of the experiments secret. Fear of legal liability and embarrassment were far more often mentioned.

The committee found few examples where physical harm by government action could be proved. The major exception involved uranium miners in the Southwest, and the problem in that case was inaction.

European research, some dating to the 1870s, had shown that uranium miners suffered greatly increased rates of lung cancer. By the late 1940s, there was general agreement that radon gas was the cause. Throughout the 1950s and most of the 1960s, however, the federal government did not require that uranium mines be ventilated to reduce radon levels. As the sole buyer of uranium, the government almost certainly could have made that a condition of buying ore from mine owners.

Government scientists studied both the mines and the miners without adequately warning them of dangers, the committee found. More than 300 cases of fatal lung cancer might have been prevented if federal regulations for radon—first announced in 1967—had been required earlier.

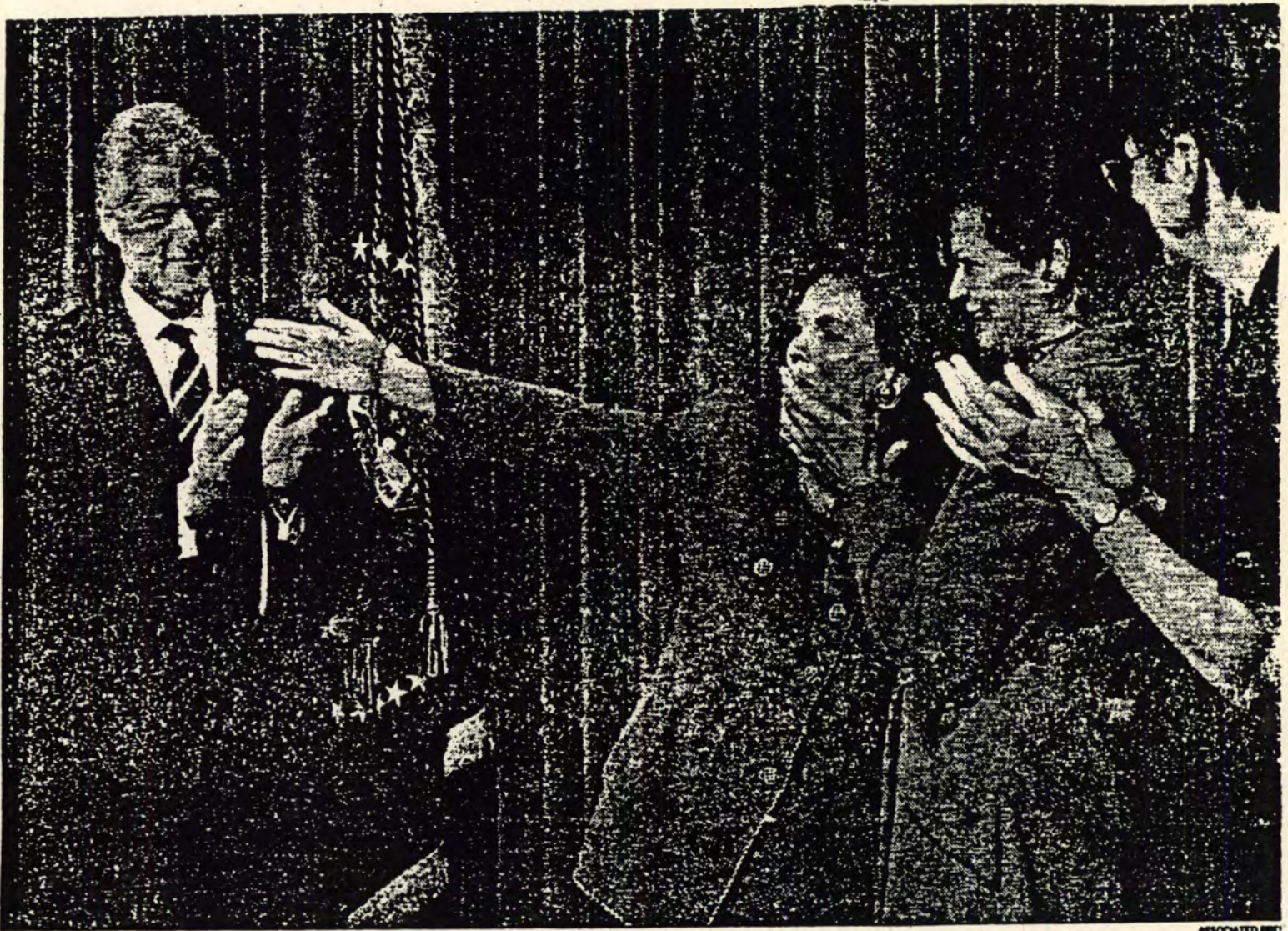
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The Washington Post

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OCT 4 1995



President Clinton hosts White House ceremony with, from left, Ruth Faden, chair of Presidential Advisory Committee on Human Radiation Experiments,

Energy Secretary Hazel R. O'Leary and Attorney General Janet Reno. The panel urged financial compensation for some radiation experiment survivors.

Apology offered radiation victims

U.S. will pay for experiment fallout

By Warren P. Strobel
THE WASHINGTON TIMES

A3

President Clinton yesterday apologized to thousands of Americans who were subject to Cold War-era radiation experiments and pledged that the U.S. government would compensate victims of the worst abuses.

Mr. Clinton based the apology on a 900-page report from an advisory panel that reviewed 30 years of experiments to determine nuclear radiation's effects on humans. Many were never told of the potential effects, and for years the government kept the subject secret on national security grounds.

Among the experiments for which the panel recommended apology and compensation was one in which 18 persons were unwittingly injected with plutonium. Mr. Clinton cited that case in an appearance with families of some of the victims.

Of the 18 persons injected with plutonium at four research centers in 1946 and 1947, several were found after their death to have suffered from severe bone degeneration. Two or three died within a few years of the experiments, although no link can be proven.

"Today . . . the United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities," the president said.

The 14-member panel, chaired by ethicist Dr. Ruth Faden, stressed that most of the 4,000 hu-

"Today . . . the United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

— President Clinton

man experiments it reviewed involved only minute amounts of "radioactive tracers" unlikely to have caused harm and are similar to those now used in research.

It also acknowledged that "the historical record remains incomplete" because vital documents, many dating from the 1940s and '50s, were either lost or destroyed.

Mr. Clinton accepted the recommendation of the Advisory Committee on Human Radiation Experiments that a structure be put in place to compensate victims. A White House official said the number of such people could exceed 30, but there was no estimate of the amount of money involved.

Rep. Edward J. Markey, Massachusetts Democrat, said he will introduce legislation to authorize compensation.

Many of the experiments were carried out by the Atomic Energy Commission, precursor to the Energy Department, and the Defense Department in an era when nuclear war with the Soviet Union seemed possible.

E. Cooper Brown, a member of the executive committee of the Task Force on Radiation and Human Rights, said there was "strong disagreement" with the panel's finding that there was no reason for a detailed medical follow-up on all those who may have been used in radiation experiments.

But he said his group was heartened by indications that the administration will continue trying to uncover the truth. "That's all-important," he said.

The president ordered steps to prevent further research abuses. He announced the creation of a Bioethics Advisory Commission to oversee research on humans. And he ordered all government agencies that conduct such research to immediately review their safeguard procedures.

The panel recommended that the government apologize to and compensate victims in two kinds of cases:

- Those in which the government tried to keep information from test subjects and their families to avoid potential embarrassment or liability, denying them the opportunity to pursue their grievances.

- Those in which there was no potential medical benefit or in which controversial procedures were presented to patients as standard practices, and injury resulted.

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The Washington Times

OCT 4 1995

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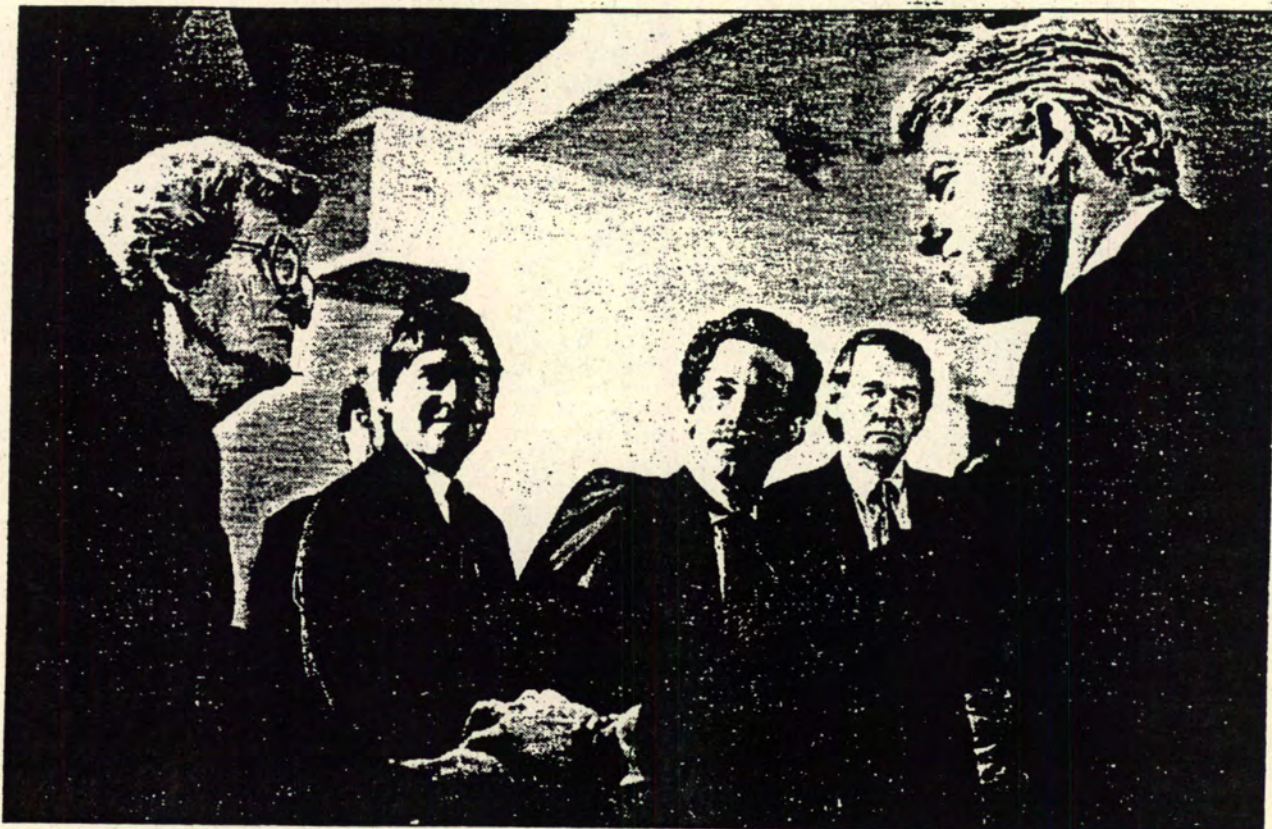


Photo by Kenneth Lambert The Washington Times

Emma Craft of Nashville, Tenn., meets President Clinton yesterday at the White House. Mrs. Craft told the president that her daughter Carolyn died of cancer in 1959 at age 11 as a result of a radiation experiment.

Clinton apologizes for radiation tests

HUMAN TESTS: Probe, launched by Energy Secretary Hazel O'Leary, left, into secret Cold War program conducting radiation experiments on thousands of unwitting Americans, ends after two years of sifting through millions of once-classified files; President Clinton apologizes to victims, orders review of research involving human subjects. 10A.



O'LEARY: 'Story ... has many pieces' AP

Seeks to right the wrongs of 30-year effort

By Paul Hoversten
USA TODAY

10A

An unprecedented probe into a secret Cold War program that made thousands of Americans unwitting victims of radiation experiments drew to a close Tuesday, after two years of sifting through millions of formerly classified files.

The end came with President Clinton's apology to the victims in one of the most troubling chapters in U.S. history.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said, accepting an advisory panel report urging government compensation to victims if they were clearly misled and suffered physical harm from tests.

Clinton ordered a government-wide review of research involving human subjects. Since 1974, government agencies have had strict guidelines governing such experiments, requiring informed consent.

"The story ... has many pieces," says Energy Secretary Hazel O'Leary, who launched the probe in December 1993 by unlocking millions of secret

files from the Atomic Energy Commission, abolished in 1974.

"There's a very positive and good side" to the information contained in those classified documents, she says. "And of, course, there is a dark side."

The 4,000 experiments, from 1944 to 1974, led to advances in nuclear medicine and ways of diagnosing and treating cancers and other illnesses.

But the commission found that the government sometimes used "vulnerable" people — children, prisoners, the poor, minorities, the terminally ill — as subjects. The records hark to a time when Americans were inclined to let the government decide what was best for them.

"Most people doing these experiments revealed to the subjects what they thought they had to know," says Kenneth Mossman, professor of health physics at Arizona State University. "But were they upfront with them? In some cases they were. ... The main problem was about informed consent."

With the threat of nuclear war as a backdrop, researchers considered as crucial to national security all data on how the body absorbed radiation.

"It was a very special time. ... We wanted a strong defense but there were excesses," says

Ruth Faden, professor of health policy at Johns Hopkins University and head of the presidential advisory commission.

Harold Bibeau considers himself one of those excesses. Bibeau, 53, a draftsman in Portland, doesn't want an apology. He just wants the government to provide medical follow-up for injuries he says he suffered.

He was one of 67 inmates to have his testicles irradiated in an experiment at Oregon State Prison, where he was serving time for voluntary manslaughter. An additional 74 prisoners were tested in Washington state.

In 1965, Bibeau lowered his testicles into warm water and received a dose of radiation stronger than that of 20 modern diagnostic X-rays. In exchange, he got a stipend of \$5 a month.

Bibeau now says he has lumps in his body and suffers testicular pain and rashes that other test inmates also report.

"If you're going to have experiments on humans, it's the responsibility of the physicians to make sure these people have a medical follow-up," he says. "We were lied to."

Faden says the search yielded about all it can: "We cast our nets as wide and far as humanly possible. But when you're taking on a project as large as this, there's always another archive around the corner or another collection in the basement."

October 4, 1995

Clinton Says Government Owes Subjects of Radiation Testing

Reuters

Washington

President Clinton said yesterday that the United States must right past wrongs against its citizens and ordered the government to find a way to compensate subjects of Cold War era radiation experiments.

Clinton made the announcement while accepting a report from a presidential advisory committee that said people who were harmed by the long-secret experiments, or who were unwitting subjects of procedures with no possible medical benefit, should be

compensated.

"That's why I am instructing my cabinet to use and build on these recommendations, to devise promptly a system of relief, including compensation, that meets the standards of justice and conscience," he said.

In a news conference attended by some relatives of test subjects, he also apologized for the thousands of government experiments conducted at hospitals, universities and military bases, often on subjects who did not knowingly consent.

He also ordered his cabinet to

review government research projects involving human subjects to ensure that they are being performed according to the highest ethical standards and established an advisory panel to review ethics of government medical tests.

He said many of the thousands of tests done mostly from 1944 to 1974 to determine radiation's effects on the human body appeared ethical. But, he said, "Some were unethical not only by today's standards but by the standards of the time. They failed both the test of our national values and the test of humanity."

Clinton cited cases where 18 hospital patients were injected with plutonium without their knowledge and where indigent cancer patients and military personnel were subjected to excessive radiation doses.

The secrecy with which these tests were conducted and the government's years of refusing to release information left a legacy of cynicism and distrust, he said.

"The deception extended beyond the subjects themselves to encompass their families and the American people as a whole. They were shrouded not for a compelling reason of national security but for the simple fear of embarrassment, and that was wrong," Clinton said.

He pledged to "work with Congress to serve the best needs of those who were harmed."

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October 4, 1995

Clinton apologizes to the victims of secret Cold War radiation tests

WASHINGTON (AP) — President Clinton apologized to the victims of secret Cold War-era radiation experiments yesterday and promised greater openness to guard against future abuses.

“We will no longer hide the truth from our citizens,” Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O’Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department’s predecessor agency.

Accepting the 900-page report, Clinton said, “The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities.”

The panel documented some 4,000 radiation experiments, but said most “are unlikely to have caused physical harm.” Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and

moral standards.

“When the government does wrong, we have a moral responsibility to admit it,” Clinton told an audience that included a number of relatives of some of the victims of the most troubling experiments.

***‘When the
government does
wrong, we have a
moral responsibility
to admit it.’***

— President Clinton

Promising to prevent future abuses, the president established the National Bioethics Advisory Commission to help shape policy regarding research to assure protection of human test subjects. He also ordered a government-wide review to make certain that the rights of anyone participating in a medical experiment are protected.

The advisory panel singled out only three experiments, involving about 30 people, where it said compensation clearly is warranted. It cited a half dozen other cases that might be “candidates” for compensation if the test subjects were found to have suffered physical harm.

Clinton said most of the Cold War-

era experiments were conducted in an ethical manner, but others — including the plutonium experiments — were wrong and often shrouded in secrecy “not for a compelling need for national security, but for the simple fear of embarrassment.”

Clinton created the Advisory Committee on Human Radiation Experiments in late 1993 after disclosure of the plutonium experiments.

The committee members were “morally outraged” by the plutonium experiments and recommended victims’ families receive financial compensation even if direct physical harm cannot be proven, said Dr. Ruth Faden, the panel’s chairwoman.

“There was active misrepresentation. You can call it lying,” said Faden, an ethics professor at Johns Hopkins University.

The panel also recommended compensation for the experimental injection of a person in the 1940s with zirconium and a World War II-era experiment in which individuals were subjected to whole-body radiation.

The cases involved “deliberate attempts...to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment,” the panel concluded.

Other cases the panel said may lead to compensation claims involved irradiation of prisoners’ testicles in Washington and Oregon, experiments in which Massachusetts schoolchildren were given low doses of iodine-131 in cereal, and research on pregnant women at Vanderbilt University.

October 4, 1995

Clinton Sorry For Tests In Cold War

Experiments Done On Unknowing Subjects

Compiled From News Services

WASHINGTON — President Bill Clinton apologized Tuesday to the unknowing victims of Cold War-era radiation experiments and vowed to compensate them.

Saying the government has a moral responsibility to admit when it does wrong, Clinton endorsed the findings of an advisory committee formed last year to investigate a series of often-secret tests performed in the 1940s.

The president said he hoped the forthright way his administration and the 14-member panel moved to correct past mistakes would restore people's confidence in government.

"Under our watch, we will no longer hide the truth from our citizens," Clinton said. "We will act as if all that we do will see the light of day."

Elmerine Whitfield Bell, a Dallas teacher whose father was injected with plutonium, said she was pleased by the report and the apology.

"I'm happy with the process," Bell said. "It's not going to be easy to get away with this type of thing again."

Bell's father, Elmer Allen, was one of 18 hospital patients given injections of plutonium during the federal government's Manhattan Project from 1945 to 1947.

Allen, whose leg was amputated three days after being injected, was living in Italy, Texas, in 1991 when he died. He never knew the federal government used him as a test subject.

The committee recommended that three types of experiments out of about 4,000 conducted during the Cold War warranted compensation. In addition to the plutonium experiments, they include zirconium injections and whole-body radiation experiments.

Although the identities of the test subjects are not known, Energy Sec-

Between 1949 and 1951, three experiments were conducted at Washington University to examine the way sodium is distributed in the body.

retary Hazel O'Leary has estimated the experiments may have involved 800 people. Some of them consented, and others were not told of the health risks.

Rep. Martin Frost, D-Texas, who represents Allen's widow, Fredna Allen, said he would introduce a bill when Congress returns next week to provide \$50,000 to the experiment victims or a survivor.

WU Tests Called Safe

Human radiation experiments conducted some 45 years ago at Washington University in St. Louis would be safe today, but consent must be obtained now from patients and parents of children, a school radiology expert said Tuesday.

"The whole character of the way doctors do business has changed," said Dr. Barry Siegel, vice chairman of the university's Radiation Safety Committee and a professor of radiology and medicine. "The level of consent would be clear. There would be no doubt about it."

Between 1949 and 1951, three experiments were conducted at Washington University to examine the way sodium is distributed in the body. Fifty-eight children, some as young as 1 day old, were among the 111 people injected with radioactive sodium-24.

Washington University, in a statement Tuesday, said the young subjects were exposed to about a third of the Food and Drug Administration's modern limit for a whole-body dose.

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The adult subjects were exposed to about 4 percent of that limit, or about 132 millirems a year. In contrast, the annual dose due to natural background radiation in the United States is about 300 millirems.

The infants in the experiments received a dose of radiation roughly equal to the amount they would have been exposed to had they lived in Denver's high altitudes for a year instead of in St. Louis. The effective dose for them amounted to about 102 millirems a year.

"These experiments could be approved today at Washington University, if we didn't already have this information — including the work ... on infants and children," Siegel said.

Siegel said the research was invaluable in learning how sodium moves through the body, helping provide the basis for many drugs used to treat heart disease and other ailments.

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Clinton offers apology to radiation test victims

The Associated Press

WASHINGTON — President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task

force to examine who might be eligible for compensation.

Accepting the 900-page report, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

The panel documented some 4,000 radiation experiments, but said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

"When the government does wrong, we have a moral responsibility to admit it," Clinton told an audience that included a number of relatives of some of the victims of the most troubling experiments.

Promising to prevent future abuses, the president established

the National Bioethics Advisory Commission to help shape policy regarding research to assure protection of human test subjects. He also ordered a governmentwide review to make certain that the rights of anyone participating in a medical experiment are protected.

The advisory panel singled out only three experiments, involving about 30 people, where it said compensation clearly is warranted. It cited a half dozen other cases that might be "candidates" for compensation if the test subjects were found to have suffered.



Energy Secretary Hazel O'Leary will set up a task force to decide who is eligible for compensation for experiments.

THE ASSOCIATED PRESS

October 4, 1995

Human radiation tests criticized

President Clinton offers apology

THE ASSOCIATED PRESS

WASHINGTON - President Clinton apologized to the victims of secret Cold War-era radiation experiments in Washington state and elsewhere yesterday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that Oregon and Washington state prisoners whose testicles were irradiated be financially compensated, along with other victims of the radiation experiments from 1944 to 1974 who were deliberately misled by the government or researchers, or who derived no medical benefit and were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.

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"There was active misrepresentation. You can call it lying" said Faden, an ethics professor at Johns Hopkins University.



THE ASSOCIATED PRESS

President Clinton holds a copy of a 900-page report on human radiation experiments. An advisory committee is urging the government to compensate test participants if they were misled and suffered harm.

Albuquerque Journal

Circulation: Daily 24,000

Sunday: 21,000

Page No. of Article: A4

Date: Oct 4, 1995

A4 ALBUQUERQUE JOURNAL

Clinton: Pay N-Test Victims

Bill Would Award \$50,000 to Subjects

BY CATALINA CAMIA
Dallas Morning News

WASHINGTON — President Clinton apologized Tuesday to the unknowing victims of Cold War-era radiation experiments and vowed to compensate them, including the widow of a Texas man.

Saying the government has a "moral responsibility" to admit when it does wrong, Clinton endorsed the findings of an advisory committee formed last year to investigate a series of often-secret tests performed in the 1940s.

The president said he hoped the forthright way his administration and the 14-member panel moved to correct past mistakes would restore people's confidence in government.

"Under our watch, we will no longer hide the truth from our citizens," Clinton said. "We will act as if all that we do will see the light of day."

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Allen, whose leg was amputated three days after being injected, was living in Italy, Texas, in 1991 when he died. He never knew the federal government used him as a test subject.

The committee recommended that three types of about 4,000 experiments conducted during the Cold War warrant compensation. In addition to the plutonium experiments, they include zirconium injections and whole-body radiation experiments.

Although the identities of the test subjects are not known, Energy Secretary Hazel O'Leary has estimated the experiments may have involved 800 people. Some of them consented, and others were not told of the health risks.

Rep. Martin Frost, D-Texas, who represents Allen's widow, Fredna Allen, said he will introduce a bill when Congress returns next week to provide \$50,000 to the experiment victim or a survivor.

"It's not enough, but at least it's something," he said. "Clearly, this is a sad chapter in the government's history, and the president was right to issue an apology."

Bell said no amount of money could erase the family's pain. She said her 79-year-old mother, who still lives in Italy, only wants to hold a letter of apology from Clinton.

"The person who was really harmed in this will never be compensated," Bell said. "My brother said if we had a million dollars for every year our father had plutonium in his body, it still would not be enough because he is dead."

October 4, 1995

Clinton apologizes to victims, kin of radiation tests, vows payment

Los Angeles Times

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WASHINGTON — President Clinton on Tuesday apologized to the survivors and to families of those unknowingly made subjects of government-sponsored radiation experiments and ordered his Cabinet to devise a system of relief, including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret tests, which began in 1944 and ran for three decades.

About 4,000 radiation experiments that took place during that period were studied by the panel, but it recommended that only a handful of

victims receive compensation. Panel members specifically cited three experiments, including one project in which 18 hospital patients, most of them terminally ill, unknowingly were injected with plutonium to determine how long the substance remained in their bodies.

The committee also recommended that several subjects of total-body irradiation experiments conducted during World War II, and the subject of a zirconium-injection experiment, known only as Cal-Z, be included.

Administration officials appeared to leave the door open for more restitution, if warranted.

Energy Secretary Hazel O'Leary said there could be "many thousands" of individuals who deserve payment but stressed that the government and the panel had been hampered by poor or non-existent record-keeping during that time period.

October 4, 1995

President Clinton apologizes for radiation experiments

Government should not hide the truth from its citizens, he says.

The Associated Press

WASHINGTON President Clinton apologized Tuesday to the victims of secret Cold War-era radiation experiments and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944

to 1974 be financially compensated in cases where the government or researchers deliberately misled them or where there was no medical benefit and they were physically harmed.

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said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of 18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

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The Associated Press

President Clinton holds a copy of a report documenting government-sponsored radiation experiments on people.

October 4, 1995

Clinton apologizes to radiation experiment victims, vows compensation

By Catalina Camia P. 5A
Washington Bureau of The Dallas Morning News

WASHINGTON — President Clinton apologized Tuesday to the unknowing victims of Cold War-era radiation experiments and vowed to compensate them, including the widow of a Texas man.

Saying the government has a "moral responsibility" to admit when it does wrong, Mr. Clinton endorsed the findings of an advisory committee formed last year to investigate a series of often-secret tests performed in the 1940s.

The president said he hoped the forthright way his administration and the 14-member panel moved to correct past mistakes would restore people's confidence in government.

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Although the identities of the test subjects are not known, Energy Secretary Hazel O'Leary has estimated the experiments may have involved 800 people. Some of them consented, and others were not told of the health risks.

Rep. Martin Frost, D-Dallas, who

represents Mr. Allen's widow, Fredna Allen, said he will introduce a bill when Congress returns next week to provide \$50,000 to the experiment victims or a survivor.

"It's not enough, but at least it's something," he said. "Clearly, this is a sad chapter in the government's history, and the president was right to issue an apology."

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"The person who was really harmed in this will never be compensated," Ms. Bell said. "My brother said if we had a million dollars for

every year our father had plutonium in his body, it still would not be enough because he is dead."

October 4, 1995

Nation screeches to a halt for that historic moment

By MITCHELL LANDSBERG **ISA**
Associated Press

It was as if an entire nation was holding its breath and, in an instant, let it go in a sigh, a gasp, a whoop, a curse.

"Oh my God!" shouted a factory worker in Toledo, Ohio. "Yes!" exclaimed an airport worker in Chicago. "I just can't believe this!" said a YMCA staffer in Concord, N.H.

Fifteen months after the slow-motion chase of a white Ford Bronco stopped Americans in their collective tracks, a national obsession came full circle Tuesday when a Los Angeles jury pronounced O.J. Simpson not guilty.

Once again, people stopped what they were doing. Once again, they turned to television or radio. And once again, what they saw and heard seemed almost too much to believe.

"Wild, absolutely wild," declared Mike Bailey, a clerk at the federal courthouse in Oklahoma City, who listened to the verdict read over the radio. He had been left alone to guard the courthouse counter after other workers — from clerks to judges — streamed into a jury assembly room to watch the verdict on television.

Few events have so held the nation in thrall as the Simpson trial, and few events have brought the country to such a standstill — if only for a few minutes — as the reading of the verdict.

Offices in New York's Rockefeller Center emptied as hundreds of

people gathered in the street outside NBC's "Today" show studio to watch the news on 10 large outdoor monitors.

On the flight deck of the aircraft carrier Independence, a special transmission from the Pentagon reached flight crews on duty in the Persian Gulf.

Far-flung U.S. military bases — like those at Lajes in the Azores and Kwajalein Atoll in the South Pacific and Diego Garcia in the Indian Ocean — all received the news live.

At a pizza restaurant in Springfield, Mo., a hospital in Grants Pass, Ore., a state office building in Albany, N.Y., a high school in Albuquerque, N.M. — in short, almost everywhere — ordinary business stopped while people watched the verdict.

Even politics took a breather. President Clinton left the Oval Office to watch. And Sen. Sam Nunn of Georgia had scheduled a news conference to announce whether he would seek reelection next year. He postponed it so as

not to compete with Simpson.

Energy Secretary Hazel O'Leary and Health and Human Services Secretary Donna Shalala changed the time of a news conference on Cold War-era secret radiation experiments to avoid conflict with the verdict.

It was too soon for TV ratings to give an accurate picture of how many Americans were tuned in to the live network broadcasts from Los Angeles Superior Court.

The Simpson verdict probably attracted the largest daytime television audience in U.S. history.

"It's going to be a monster," predicted Jack Loftus, vice president of communications at Nielsen North America, the television ratings service.

Between 1:05 p.m. and 1:10 p.m. EDT, the minutes leading up to the announcement of the verdict, AT&T, the nation's largest long-distance carrier, reported a 58% drop in long-distance calls.

At least 10 papers, including the Philadelphia Inquirer, The Philadelphia Daily News, The Washington Post, St. Paul Pioneer Press, Wichita Eagle and Baltimore Sun, published rare extra editions Tuesday afternoon.

In the minutes ticking up to the verdict, the response was almost universal. People were mostly quiet, jittery. Some cracked jokes, seemingly to break the tension. "This is sooo agonizing," said one woman in New York.

At The Downtown Athletic Club in Baltimore, about 75 sweating people in gym clothes stopped their workouts and leaned forward silently to watch and listen.

Cheers outweighed any other response from the multiracial crowd outside the Los Angeles courthouse where Simpson was tried. The reaction was similar outside the NBC studio in New York, where the crowd was mostly white, young and dressed in conservative business attire.

"There WILL be a Naked Gun Part IV!" one young New Yorker yelled. The crowd laughed.

But elsewhere — at a senior citizen's center in Concord, at a shopping mall in Toledo — the response was mostly limited to gasps of shock. In Omaha, Neb., the verdict was met with silence from a racially mixed crowd of about 60 at a Sears department store.

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The Observer's Washington Bureau contributed to this article.

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SOUTH CAROLINA EDITION

President apologizes for radiation experiments

■ *Committee proposes the government pay restitution to the families of unknowing victims of tests in the 1940s*

Los Angeles Times

WASHINGTON — President Clinton apologized Tuesday to the survivors and families of those who unknowingly were subjects of government-sponsored radiation experiments, and ordered his Cabinet to devise a system of relief — including financial compensation.

"When the government does wrong, we have a moral responsibility to admit it," Mr. Clinton said. "The duty we owe to one another to tell the truth and to protect our fellow citizens from excesses like these is one we can never walk away from."

Saying "our government failed in that duty," he apologized "to all the American people who must be able to rely upon the United States to keep its word to tell the truth and to do the right thing."

And, in proposing a system of restitution, he added: "We know there are moments when words alone are not enough."

Mr. Clinton made the remarks as he accepted the recommendations of an advisory committee he appointed to study the secret experiments, which began in 1944 and continued for three decades.

Although the panel studied about 4,000 radiation experiments that took place during that period, it recommended that only a handful of victims receive compensation. Panel members specifically cited three experiments, including one project where 18 hospital patients, most of them terminally ill, were unknowingly injected with plutonium to determine how long the substance remained in their bodies.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

Nevertheless, administration officials appeared to leave the door open for additional restitution, if warranted.

Energy Secretary Hazel O'Leary said in an interview that there could be "thousands, many thousands" of individuals who deserved payment, but stressed that both the government and the panel had been hampered by poor or nonexistent record-keeping during that time period.

Since her department's investigation began, "of the 10,000 calls we received, about 3,000 individuals gave us enough information to enable us to look in records and, in all the searching of a quarter of a million pages, we found only 50 names," she said.

In the case of the 18 subjects of plutonium injections, however, she said discussions regarding compensation would begin immediately with their families.

The experiment, conducted between 1945 and 1947, was deemed necessary at the time to assess the risks that workers faced when exposed to such materials.

One patient was injected at Oak Ridge Hospital, in Oak Ridge, Tenn.; 11 at the University of Rochester; three at the University of Chicago, and three at the University of California.

Ms. O'Leary said the funds would come out of her department's budget.

"We are ready and willing to begin a negotiation," she said. "One thing all of us want to avoid is a protracted and expensive lawsuit against the government."

Mr. Clinton also ordered a review of the procedures involving all government-sponsored research on humans, and said he will create a bioethics advisory commission to police the research process to "see to it that never again do we stray from the basic values of protecting our people and being straight with them."

He acknowledged that medical and scientific progress "depends upon learning about people's responses to new medicines, to new cutting-edge treatments . . . but there is a right way and a wrong way to do it."

October 4, 1995

Treatment linked to cancer risk

Nasal radium was
standard procedure
in 1940s, 1950s

Hopkins pioneered method

But U.S. board
recommends
against notification

By DIANA K. SUGG
SUN STAFF

Hundreds of thousands of schoolchildren who were given a nasal radium treatment pioneered at John Hopkins may have an increased risk of cancer, but a federal advisory board concluded yesterday that notifying them would be of little benefit.

The treatment, nasopharyngeal irradiation, was considered standard medical care in the 1940s and 1950s for middle ear obstructions, infections and deafness. According to a recent estimate by the Centers for Disease Control and Prevention, at least 500,000 schoolchildren may have received the procedure as late as the 1960s.

Although the nasal treatment was not experimental, it was studied by the Advisory Committee on Human Radiation Experiments as part of its inquiry into more than 4,000 human radiation experiments starting in 1944.

In a massive report presented to President Clinton yesterday, the committee declared that many of those government-sponsored experiments were performed without consent and that doctors took advantage of their patients' trust.

Mr. Clinton immediately apologized to the survivors and families and ordered his

Cabinet to devise a system of financial compensation for certain victims.

The panel's recommendation on the nasal treatment drew mixed reactions. Hopkins physicians who have studied it took issue with the finding of increased cancer risk. Dr. Donald Proctor, a professor emeritus of otolaryngology, said yesterday there is no evidence that it caused harm.

"You would think that if there were any real danger there would have been hundreds, or perhaps thousands of people documented as getting [See Radiation, 7B]

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into trouble," Dr. Proctor said, "and there haven't been any."

Studies at the time showed that the procedure was effective for curing chronic ear, nose and throat conditions.

But some people who received nasal irradiation say the panel was wrong to recommend against notification.

"I'm angry," said Fran Kenneally, who got the treatments in Baltimore when she was 14. She blames them for her six miscarriages, a pituitary tumor and other health problems.

The method involved inserting a radium-tipped rod in the nostril for short periods. Patients say it felt uncomfortable. Some say they tried to block out the memory.

Elsin Ann Terry remembers it well. In 1955, at 14, she appeared on a Baltimore medical television show as a success story. But by age 20, she had lost all her teeth. She also suffers from Graves' disease, a thyroid condition.

Her identical twin, who didn't have the treatment, has a full set of teeth and no Graves' disease, even though the pair of sisters have both suffered from gall bladder and other health problems at the same time.

A key issue for the panel — chaired by a Hopkins bioethicist Dr. Ruth Faden — was whether anyone should be notified for medical follow-up.

According to the report, nasopharyngeal irradiation did put the patients at risk — much more so than two other examples, such as children exposed to iodine 131 or prisoners subjected to testicular irradiation. The panel estimated the risk of cancers to the brain, head and neck to those who had the nasopharyngeal treatment at 4.35 in 1,000 — 62 percent more than normal.

But because there is no accepted screening procedure for those cancers, the committee recommended against notifying people exposed as children. A group of adult military personnel who also underwent the treatment received significantly lower radiation, the committee said, and don't need to be notified.

Stewart A. Farber, a consulting scientist who works in radiation risk assessment and has closely followed the issue, called that decision outrageous, noting a small 1982 Hopkins study that found four patients who had the radium treatment died of head and neck tumors.

"Because this thing was never

properly addressed back when, people are too embarrassed now to pay attention to it. ... It basically makes it clear that they weren't doing their jobs," said Mr. Farber of Pawtucket, R.I., who is setting up his own nonprofit clearinghouse to register people and disseminate information.

Dr. Lorraine Marin, a radiation oncologist and board member of the North American Brain Tumor Coalition, said people who know they had the treatment should tell their physicians so a closer examination of the head and neck area can be done during checkups.

But she added it was difficult to judge the risk with so little data.

The Johns Hopkins School of Hygiene and Public Health is studying about 900 people who received the treatment through a clinic Hopkins set up in Hagerstown. Dr. George Comstock, an epidemiology professor leading the study, expects results next year.

Meanwhile, 69-year-old Charles Rector is concerned. The Naval Academy physics professor said his glands are swollen and he's taking antibiotics.

Dr. Rector is thinking back to the treatment he received for ear trouble when he was attending Hopkins graduate school.

October 4, 1995

President apologizes for radiation experiments

Procedure to pay victims discussed

By H. Josef Hebert
ASSOCIATED PRESS

Washington — President Clinton apologized to the victims of secret Cold War-era radiation experiments Tuesday and promised greater openness to guard against future abuses.

"We will no longer hide the truth from our citizens," Clinton said at a White House ceremony where he accepted a report documenting three decades of government-sponsored experiments on people, often without their clear consent.

A 14-member advisory panel has recommended that victims of the radiation experiments from 1944 to 1974 be financially compensated in cases where the government or researchers deliberately misled them, or where there was no medical benefit and they were physically harmed.

Energy Secretary Hazel O'Leary said she planned to establish a task force to examine who might be eligible for compensation. Most of the experiments involved the Atomic Energy Commission, the department's predecessor agency.



Associated Press

At the ceremony recognizing abuses in radiation testing are (from left) President Clinton; Dr. Ruth Faden, chairwoman of the human radiation advisory committee; Energy Secretary Hazel O'Leary; and Attorney General Janet Reno.

Accepting the 900-page report along with Attorney General Janet Reno, Clinton said, "The United States of America offers a sincere apology to those of our citizens who were subjected to these experiments, to their families and to their communities."

The panel documented some 4,000 radiation experiments, but said most "are unlikely to have caused physical harm." Nevertheless, a number of experiments, including the injection of

18 civilians with plutonium, were singled out as clear violations of ethical and moral standards.

"When the government does wrong, we have a moral responsibility to admit it," Clinton told an audience that included a number of relatives of some of the victims of the most troubling experiments.

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The committee members were "morally outraged" by the plutonium experiments and recommended victims' families receive financial compensation even if direct physical harm cannot be proven, said Dr. Ruth Faden, the panel's chairwoman.

"There was active misrep-

resentation. You can call it lying" said Faden, an ethics professor at Johns Hopkins University.

She said among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them. The panel urged new government guidelines for openness and continued declassification of documents related to Cold War-era experiments.

The panel also recommended compensation for the experimental injection of a person in the 1940s with zirconium and a World War II-era experiment in which individuals were subjected to whole-body radiation.

Other cases that the panel said might lead to compensation claims if physical harm were shown involved irradiation of prisoners' testicles in Washington and Oregon, experiments in which children at the Fernald School in Massachusetts were given low doses of iodine-131 in breakfast cereal, and research on pregnant women at Vanderbilt University in Nashville.

"It is absolutely imperative that this nation never again conduct secret research on human subjects," Faden said. "We don't want 50 years from now there to be another committee... investigating allegations of abuses of human subjects."

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Date: 10-2-95

Nasal-radium cases quadruple

10/2/95 A-2 (T)
By Lawrence Spohn
TRIBUNE REPORTER

As many as 2.5 million Americans may have been exposed to radioactive radium decades ago, according to new estimates made public by the national Centers for Disease Control and Prevention.

That number quadruples a previous estimate by scientist Stewart Farber, a Rhode Island radiation health physicist who brought the treatments to light several years ago.

The new estimates would mean that many more people who received the treatments may develop brain or neck cancers or thyroid diseases, scientists say.

The new numbers were announced last week by CDC's Dr. Anne Mellinger at Yale University.

Farber called the new CDC numbers "really incredible and all the more reason why they should be doing something."

The revelation coincides with a debate in Washington, D.C., about what should be done about the people exposed to nasal radium.

A report by the President's Advisory Commission on Human Radiation Experiments recommends against notifying the patients or advising them how to get medical treatment. The commission reasons that little could be done to prevent or treat the cancer

“It's not worth notifying anyone on this issue? It's not worth issuing medical advisories to people? I guess it all depends on your values.

Stewart Farber
Radiation health physician

cases that may develop.

The commission's report is scheduled to be delivered to President Clinton on Tuesday.

Farber disputes the commission's reasoning, especially in light of the new numbers.

"It's not worth notifying anyone on this issue?" he said. "It's not worth issuing medical advisories to people? I guess it all depends on your values."

CDC's numbers suggest that as

many as 23,067 people could be expected to develop brain cancer from those exposures, according to calculations done by Farber.

He used the government's method, but Farber said if other methods are used, the number of projected brain cancers would be as low as 600.

All the estimates are based on a study done nearly two decades ago at John Hopkins Medical Center. It

found an increased risk of head and neck cancers and of thyroid disease in adults exposed to nasal radium as children.

People were exposed when doctors inserted metal rods, tipped with a capsule of radioactive radium, into the patients' noses. The treatment was used for a variety of ailments, including sinus infections, mild deafness and difficulties adjusting to pressure changes.

Mellinger presented the new numbers at a scientific workshop on nasal radium experiments and treatments sponsored by Yale University's Medical School last week.

Mellinger, of CDC's National Center for Environmental Health, told workshop scientists and doctors that the numbers are "ballpark estimates," based on the number of radium rods sold to doctors and used for years beginning in the 1950s.

The wide range depends on how often the ear, nose and throat specialists used them. Some evidence suggests use into the early 1970s.

America's
ATOMIC
Fallout

TRANSCRIPT

FOR DEPARTMENT OF ENERGY

STATION CBS Network

PROGRAM CBS Evening News

CITY Washington, D.C.

DATE October 2, 1995

AUDIENCE

SUBJECT Radiation Tests

BROADCAST EXCERPT

DAN RATHER: A Presidential panel today recommended against financial compensation for thousands of American citizens subjected to the U.S. government's secret radiation experiments during the Cold War. The Presidential panel also rejected contacting the test subjects even though many received the radiation without their knowledge or consent. The panel concluded that in most cases the radiation posed no long-term health risks.

Panel: No need to notify radiation test subjects

There would be little or no ^{AP} benefit in compensating or even notifying most of the people who took part, often unknowingly, in some 4,000 radiation experiments the government sanctioned during the Cold War, a presidential panel says.

Concluding the tests posed little long-term risk, the advisory panel rejected the idea of widespread efforts to contact or provide medical follow-up for survivors among the estimated tens of thousands of subjects.

In nearly two years of investigation and a review of more than 100,000 documents, the advisory group found evidence of many tests in which subjects' consent was lacking or in doubt.

TAMPA TRIBUNE

10/3/95

Panel rules out major followup on radium test

A Tribune Staff, Wire Report

WASHINGTON — There would be little or no benefit in compensating or even notifying most of the people who took part, often unknowingly, in some 4,000 radiation experiments the government sanctioned during the Cold War, a presidential panel says.

Concluding the tests posed little long-term risk, the advisory panel rejected the idea of widespread efforts to contact or provide medical followup for survivors among the estimated tens of thousands of subjects.

In nearly two years of investigation and a review of more than 100,000 documents, the advisory group found evidence of many tests in which subjects' consent was lacking or in doubt.

Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel said, and in many cases the identity of test subjects remains unknown.

The Tampa Tribune reported last month that the advisory panel would not recommend health screenings for children and adults who were exposed to radium to treat ear infections and other maladies, after the panel concluded that the longterm risk was low.

More than 1,300 military personnel, their dependents and others went through the radium treatments at a military base in Tampa at the end of World War II.

TRI-CITY HERALD
Tri-Cities, WA

OCT 03 1995

Panel against radiation-test compensation

By The Associated Press

WASHINGTON—Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effect and should not be compensated, an advisory panel says in its report to the president.

The panel, which documented some 4,000 radiation experiments in an 18-month study, said it found only three cases—involving roughly 20 individuals—where compensation clearly is warranted.

However, other cases may warrant compensation when more information about them is determined, it said. The experiments, many of them highly secret, occurred over three decades beginning in the 1940s.

The findings by the 14-member Advisory Committee on Human Radiation Experiments were submitted to the White House on Monday. President Clinton was expected to outline the government's response, including future actions, at a ceremony today.

Dr. Ruth Faden, the panel's chairman, said Monday that the committee sought to establish a clear "framework" that calls for compensation in any experiments where subjects were deliberately misled, did not give clear consent and where physical harm can be shown.

Only three experiments, including the deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments. And it recommended against formal medical followup of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing more information about possible human experimentation.

Faden, speaking to reporters at a briefing, said the panel believed resoundingly that individuals have a right to know whether they were subjected to a government-sponsored experiment. But that process, she said, should start by providing individuals efficient access to documents.

Among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them, said Faden, a bioethicist at Johns Hopkins University. Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel found.

A draft copy of the nearly 1,000-page report was obtained by The Associated Press.

It concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns.

"The damage is not physical injury, although this, too, did occur in some cases. (but) the pain felt by people who believe that they or their loved ones were treated with disrespect," the report said.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission in which 10 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections.

The other two cases the panel said warranted compensation involved a person who was injected with zirconium at about the same time as the plutonium experiments, and an experiment in which individuals were subjected to whole-body radiation, also in the 1940s.

SEATTLE POST INTELLIGENCER
Seattle, WA
OCT 03 1995 B1

Panel calls for narrow amends on radiation tests

By LARRY LANGE
A REPORTER

A presidential panel today will call for notifying and compensating people who took part in three of the 4,000 human radiation experiments conducted nationwide during the Cold War.

No experiments done in the Northwest were included among the three judged worthy of compensation.

A report by a 15-member panel said the three experiments, all involving people deliberately infected with or subjected to radiation in the 1940s, indicated deliberate attempts "to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment." The panel called the experiments "assaults on privacy and individual rights."

Even before the panel's recommendation to President Clinton was announced, it drew criticism from radiation victims who characterized it as too narrow.

The report was scheduled to be formally announced and presented to Clinton in a White House briefing today. A draft was obtained by the Associated Press yesterday and its contents confirmed by panel staff.

The report said most of the tests posed little long-term health risk to people who took part and said the federal government should not contact or provide medical follow-ups for survivors of those purportedly low-risk experiments, a group whose numbers are estimated to be in the tens of thousands.

Most of the experiments, performed to test the effects of radiation on humans, involved adults being given low doses of radioactive tracer elements that "are unlikely to have caused physical harm" or result in long-term health problems, the panel said.

The conclusions disappointed Washington state officials, who had hoped there would be medical follow-ups on some inmates at the state penitentiary who underwent radiation exposure to their testicles in the early 1970s. Tests also were conducted on Oregon state inmates at about the same time.

Some said the panel's ruling seemed designed to protect the government from lawsuits.

"It was a political decision," said Al Conklin, a radiation expert and manager of air emissions and defense waste for the Washing-

ton state Health Department.

It also left the survivor of one experiment saying he may go to court to get the federal government to pay for medical follow-ups.

"This has to be done, and somebody has to do it," said Harold Bibeau, a Troutdale, Ore., resident whose testicles were irradiated when he was an Oregon state prison inmate.

Clinton ordered the review of the experiments in 1993 after details about the tests were made public. The tests were conducted from the mid-1940s until the early 1970s to learn more about radiation's effects on humans.

It was not clear what Clinton will do in response to the recommendations. Energy Department spokeswoman Jayne Brady said the report being presented in Clinton will include suggestions for actions.

Panel counselur Steve Klaidman said the group decided compensation should be paid to test participants facing more than a one-in-1,000 chance of cancer because of the tests. It should also be paid in cases where treatments are available for health problems caused by the experiments.

In one of the three cases where compensation was deemed warranted, the Energy Department's predecessor, the Atomic Energy Commission, sponsored tests from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were infected with radioactive plutonium. In another case, a patient at the University of California was infected with radioactive zirconium in 1948. In the third test, 29 people received doses of radiation throughout their bodies from 1942 to 1945.

The panel said all three experiments were concealed from their subjects.

The panel said it could not find enough information to warrant recommending compensation for other tests. Those include the experiments on Washington and Oregon state prison inmates, school children in Massachusetts and pregnant women in Tennessee.

Bibeu, an Oregon state inmate during the early 1970s, said he and other Oregon inmates were told the radiation might cause chromosomal damage and skin burning that would last three or four days, but not about the periodic skin rashes he and others have suffered.

The man who conducted the tests, Dr. Carl Heller, acknowledged after the tests that he didn't tell the inmates about all possible health effects "because he didn't want to frighten us," Bibeau said. Heller died in 1985.

Bibeu, 53, said he has reported those and other radiation-related health problems to the Energy Department but has so far received no help. He said he thinks the panel is trying to protect the government from lawsuits.

"I think their recommendation should have been stronger," he said. Inmates, lacking complete information, "never did make informed consent because we were lied to about our long-term chances of having a problem."

Conklin of the state Health Department said a state review of the prison experiments showed inmates got doses as high as 400 to 600 "rem" of radiation to the testicles at times. (A rem is a unit of radiation absorption by the body). The doses may have placed the inmates at increased cancer risk.

"Some were told about the effects (like) a minor sunburn," Conklin said. "Four hundred rem would do more than a sunburn, it could render you sterile for years."

Conklin said his agency recommended that the panel have medical follow-ups done on the prisoners to check their health. The panel, according to the draft, rejected the idea.

■ This report includes material from The Associated Press and the New York Times.

ST. PETERSBURG TIMES

10/3/95

Panel: No compensation needed for radiation tests

Associated Press

WASHINGTON — An advisory panel says most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effect.

The Advisory Committee on Human Radiation Experiments, which documented some 4,000 tests, said subjects should not be compensated.

The panel said it found only three cases — involving roughly 30 people — where compensation clearly is warranted.

The results of the 18-month study were submitted to the White House on Monday.

However, other cases may warrant compensation when more information about them is determined, it said.

The experiments, many of them highly secret, occurred over three decades beginning in the 1940s.

President Clinton is expected to outline the government's response at a ceremony today.

Dr. Ruth Faden, head of the panel, said the committee sought to establish a clear framework that calls for compensation in any experiments where subjects were deliberately misled or did not give clear consent and where physical harm can be shown.

Only three experiments, including the

deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments.

The panel recommended against formal medical follow-up of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing more information about possible human experimentation.

Faden said the panel believed resoundingly that individuals have a right to know whether they were subjected to a government-sponsored experiment. But that process, she said, should start by providing individuals efficient access to documents.

Among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them, said Faden, a bioethicist at Johns Hopkins University.

Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel found.

October 3, 1995

Panel Urges Damages for 'Immoral' Tests

Secret radiation trials by U.S.

By David Perlman
Chronicle Science Editor

A presidential panel has called on the federal government to apologize and pay damages to the families of an unknown number of Americans who were hurt or killed by secret radiation experiments performed during and after World War II.

In a draft report obtained by The Chronicle yesterday, the panel said it uncovered records of more than 4,000 secret tests — many designed to study the effects of atomic bomb radiation — and although the experiments did no severe damage in most cases, many were immoral and represent "a dark period in our history."

The report is expected to be made public today by President Clinton as a result of nearly two years of investigation by an advisory committee to the president's Human Radiation Interagency Working Group.

One sticking point in carrying

PANEL: Page A11 Col. 2

out the panel's recommendations, however, is that the government has not tracked down many subjects of such experiments because of insufficient records.

The panel found only a "murky historical record" for many of the experiments — particularly those conducted by the CIA and code-named MK-ULTRA, in which hundreds of unwitting subjects were dosed with LSD and other hallucinogens during the 1950s and 60s.

But as early as 1944, the panel found, atom bomb researchers were conducting experiments in which people were severely damaged without their knowledge, and the families of those victims are entitled to "a personalized, individualized apology" and "financial compensation."

The panel cited three specific cases as typical:

■ Eighteen people who were unknowingly subjected to injections of plutonium — the deadly radioactive ingredient of the Nagasaki atomic bomb — in experiments conducted between 1945 and 1947 at the University of California at San Francisco, the Oak Ridge National Laboratory, and the Universities of Chicago and Rochester.

■ A 58-year-old cancer patient who in 1948 was injected with radioactive zirconium as part of an experiment at UCSF known as Cal-Z.

■ An unknown number of people, including 14 at the University of Chicago's Tumor Clinic, who were subjected at various times during World War II to high radiation doses covering their entire bodies.

■ Subjects of several other experiments, or their families, should also be compensated if the individuals were harmed, the panel said. This would include experiments in which prisoners at several institutions had their testicles irradiated; uranium injection experiments at the Universities of Rochester and Boston, and an unknown number of children who were injected with radioactive iodine.

The committee said that in many cases it could not determine the names of all the subjects nor the institutions where they were subjected to experiments without their knowledge or consent. But if any families of those people can

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prove the subjects were injured, they too should be entitled to compensation, the panel said.

Said the panel's draft report:

"Deliberate attempts by public officials in trusted and often sensitive government positions to conceal the fact of participation from subjects or their families, particularly in the absence of national security justification and for the declared purpose of avoiding potential liability and public embarrassment, are assaults upon the foundations of individual privacy and self-determination."

Although the panel recommended compensation for people who were injured, it said that most of the 4,000 Cold War experiments the panel investigated "were unlikely to have caused physical harm" to the unwitting subjects.

"The damage is not physical injury, although this too did occur in some cases, but the pain felt by people who believe that they or their loved ones were treated with disrespect," the panel report said. It charged that the experiments constituted "assaults on privacy and individual rights."

Although the panel agreed that in the "great majority" of cases, the experiments were conducted "to advance biomedical science," many were conducted to "advance national interests in defense or space exploration."

Members of the panel's investigating team, however, did credit the U.S. Department of Energy and the University of California for their efforts to track back through old and incomplete records on the controversial experiments.

The advisory panel was headed by Dr. Ruth R. Faden, a specialist in biomedical ethics at Johns Hopkins University. Her panel was created in December 1993, when Clinton named the heads of the Departments of Energy and Defense, as well as the CIA and several other agencies, to investigate mounting reports of unethical and possibly criminal experiments on humans.

The agency heads named Faden to select a team of colleagues and specialized investigators to comb through hundreds of thousands of pages of classified documents and to interview those scientists still alive to trace the experiments and, where possible, find the potential victims.

Since then, several families of victims have begun lawsuits against the government to recover damages, and the Defense Department said it is still trying to track missing records on thousands of soldiers and sailors who were exposed to radiation during atom bomb tests in the Pacific and later at the government's secret Nevada Test Site, some 65 miles north of Las Vegas.

Among other recommendations, Faden's panel also considered the future need for human experiments related to national defense and called for independent committees of experts to oversee all such experiments.

Experiments must be judged absolutely necessary, the panel said, and any volunteer subjects must be fully informed of the nature of the tests, their purpose, their possible harm, and — if any — their possible benefits.

THE OREGONIAN
Portland, OR

OCT 03 1995

Radiation tests had little effect

■ A panel finds that most people who underwent federal experiments during the Cold War should not be compensated

By H. JOSEF HEBERT

The Associated Press

WASHINGTON — Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effects and should not be compensated, according to an advisory panel's report to the president.

The panel, which documented about 4,000 radiation experiments in an 18-month study, said it found only three cases — involving roughly 30 individuals — where compensation clearly was warranted.

However, other cases might warrant compensation when more information about them is determined, it said. The experiments, many of them highly secret, occurred during three decades beginning in the 1940s.

The findings by the 14-member Advisory Committee on Human Radiation Experiments were submitted to the White House on Monday. President Clinton was expected to outline the government's response, including future actions, at a ceremony Tuesday.

Dr. Ruth Faden, the panel's chairwoman, said Monday that the committee sought to establish a clear framework that calls for compensation in any experiments where subjects were deliberately misled, did not give clear consent and suffered physical harm.

Only three experiments, including the deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments. And it recommended against formal medical followup of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing more information about possible human experimentation.

AP obtains draft copy

A draft copy of the nearly 1,000-page report was obtained by The Associated Press.

The report concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission. In the tests, 18 seriously ill civilians were injected deliberately with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections. The other two cases that the panel said warranted compensation involved a person who was injected with zirconium and an experiment in which individuals were subjected to whole-body radiation, both in the 1940s.

The advisory committee was less certain about how to deal with some of the other more questionable Cold War-era experiments, various details of which have surfaced in recent years.

In many such cases a formal government apology and financial compensation might be warranted, but as yet not enough information is available to make such a decision, the panel said. These cases included the irradiation of prisoners' testicles in Oregon and Washington, experiments involving children at the Fernald School in Massachusetts and research involving pregnant women at Vanderbilt University in Tennessee.

Panel urges paying subjects of 9 experiments

Lack of evidence in radiation tests keeps board from advising broad compensation

By Philip I. Hitt

The New York Times

BOSTON — After reviewing 30 years of government-sponsored radiation experiments on humans, a presidential committee has concluded that many were unethical and that the government should apologize.

The committee also recommended that the government compensate the patients for at least nine experiments in which they were subjected to radiation without their knowledge.

But the committee said there was not enough evidence about other experiments to say whether apology or compensation was merited, but the search for such evidence should continue.

The experiments took place between 1944 and 1974. Several of had come to light earlier, prompting Energy Secretary Hazel O'Leary to recommend a full inquiry. The President's Advisory Committee on Human Radiation Experiments worked on the cases for 18 months.

The nine experiments for which it recommended apologies and compensation included:

■ A series of experiments from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were in-

jected with radioactive plutonium without their knowledge.

■ A series conducted from 1942 to 1945 at three universities in which 29 patients were given radiation over their entire bodies, mainly to see the effects rather than to treat the patients. The experiments were concealed.

■ Total body irradiation performed at the University of Cincinnati and other universities on hundreds of patients from 1950 until the early 1970s, which was called "therapeutic" as well as experimental.

■ An experiment in which the testes of 131 prisoners in Oregon and Washington were irradiated from 1963 to 1973.

■ A trial in which radioactive iodine was given to hundreds of children at schools for the retarded in Massachusetts from the 1940s to the 1960s.

The panel's chairwoman, Ruth Faden of Johns Hopkins University, said there was another case that "we were all outraged about. What was done to the uranium miners, though it was not an experiment and not directly under our charge, was unconscionable."

The committee found that the several thousand workers who mined uranium for the government to make the atomic bombs were exposed to relatively high levels of radiation. Officials knew of the hazard and were aware that simple ventilation of the mines could significantly reduce it, but they took no action and did not inform the miners, Faden said.

October 3, 1995

U.S. to Apologize to Some Victims of Radiation Tests

■ **Research:** A few dozen subjects of the most harmful experiments, or their families, could get compensation. Government secretly funded projects.

By MARLENE CIMONS
TIMES STAFF WRITER

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WASHINGTON—A presidential advisory committee will recommend today extending an official apology and financial compensation to just a handful of the thousands of Americans who were unwittingly exposed to radiation in secret government-sponsored experiments in the years after World War II.

The committee studied nearly 4,000 experiments. But it concluded that only three, involving no more than a few dozen subjects, raised legal and ethical concerns severe enough to warrant offering apologies and compensation.

Although criticizing the conduct of federal officials and others involved, the commission concluded that apologies and compensation were not appropriate in most cases because most of the experiments—conducted between 1944 and 1974—posed little danger to participants.

The panel said it believed that people who were used as research subjects without their consent "were wronged, even if they were not harmed."

But it said it was "not persuaded that . . . financial compensation is necessarily a fitting remedy when people have been used as subjects without their knowledge or consent but suffered no material harm as a consequence."

An apology and compensation were called for, the report said, in instances where information about

the experiment was kept from subjects for the purpose "of avoiding embarrassment," or potential legal liability, "and where this secrecy had the effect of denying individuals the opportunity to pursue potential grievances."

Among the cases meeting this standard were those involving individuals used in experiments that offered "no prospect of direct medical benefit," and where injury from the experiments resulted.

Specifically, the panel recommended that apologies and compensation go to the families of 18 hospital patients, most of whom were terminally ill at the time, who were unknowingly injected with plutonium between 1945 and 1947.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, be included.

Noting that these cases have had a lasting impact on the country as a whole even though they occurred decades ago, the commission said: "The greatest harm from past experiments and intentional releases may be the legacy of distrust that they have left."

Hundreds of intentional releases of radiation "took place in secret, and remained secret for decades," the report said, and information about human experiments was kept secret "out of concern for embarrassment to the government, potential legal liability and" worry that public misunderstanding would jeopardize government programs.

The work began at a time during World War II when many such studies were undertaken in secret to help understand radiation risks to workers involved in the development of the atomic bomb. This was long before it became standard practice to issue "informed con-

sent" to medical research subjects, laying out the risks and benefits of participation.

"It was commonplace during the 1940s and 1950s for physicians to use patients as subjects of research without their awareness or consent," the report said.

Federal investigators are "blameworthy" for not having had policies in place to protect subjects used in research who could not have medically benefited from the work, the panel said. Researchers were "less blameworthy" in instances where they believed the experiments might be therapeutic, the group added.

The plutonium experiment, for example, was designed to determine how much of the substance remained in patients' bodies after exposure. It was deemed necessary at the time to assess the risks that workers faced when exposed to such materials.

One patient was injected at Oak Ridge Hospital in Oak Ridge, Tenn.; 11 at the University of Rochester, N.Y.; three at the University of Chicago, and three at the University of California.

The report said panel members "struggled" with the question of when to recommend that the government extend an apology to individuals, but said their deliberations were complicated by "a murky historical record" where, in a majority of cases, "there was simply too little documentary evidence" to determine whether there was informed consent.

The panel recommended changes in informed consent procedures of today, saying they should more realistically reflect the expectations of the experimental therapies involved. Also, the panel said sometimes the informed consent documents are "incomprehensible" to lay people and should be improved.

Its members focused on eight

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different categories of radiation experiments. These included the plutonium experiments and others involving materials used in atomic bombs; non-therapeutic research on children; total body irradiation; research on prisoners; the Atomic Energy Commission program of radioisotope distribution; human experimentation in connection with nuclear weapons testing; intentional environmental releases of radiation; and observational research involving uranium miners and residents of the Marshall Islands, who were exposed to radiation from nuclear tests.

The period of the experiments encompassed both the birth of the new field of radiation science and the evolution of more sophisticated concepts of biomedical ethics to protect human research subjects.

The experiments ended during a watershed year when the government recognized the need to protect human subjects.

The majority of experiments identified by the panel involved radioactive tracers administered in amounts similar to those used in research today.

Panel finds few cases for compensation

Most Cold War radiation experiments caused little long-term harm, report says

By H. JOSEF HEBERT
Associated Press

WASHINGTON — Most people subjected to government-sanctioned radiation tests during the Cold War suffered little or no long-lasting effect and should not be compensated, an advisory panel says in its report to the president.

The panel, which documented some 4,000 radiation experiments in an 18-month study, said that it found only three cases — involving roughly 30 individuals — where compensation clearly is warranted.

However, other cases may warrant compensation when more information about them is determined, it said. The experiments, many of them highly secret, occurred over three decades beginning in the 1940s.

The findings by the 14-member Advisory Committee on Human Radiation Experiments, were submitted to the White House on Monday. President Clinton was expected to outline the government's response, including future actions, at a ceremony today.

Dr. Ruth Faden, the panel's chairman, said Monday that the committee sought to establish a clear "framework" that calls for

compensation in any experiments where subjects were deliberately misled, did not give clear consent and where physical harm can be shown.

Only three experiments, including the deliberate injection of 18 individuals with plutonium in the 1940s, clearly met the panel's criteria, she said.

The advisory panel also rejected suggestions that the government provide widespread notification to the subjects of past experiments. And it recommended against formal medical followup of experiments, concluding they would be of little medical benefit in experiments that occurred decades ago.

Instead, the panel said the government should use the more than 100,000 documents gathered during its investigation as a data bank for individuals wishing

more information about possible human experimentation.

Faden, speaking to reporters at a briefing, said the panel believed resoundingly that individuals have a right to know whether they were subjected to a government-sponsored experiment.

Among the most troubling aspects of the Cold War-era experiments was the cloak of secrecy that surrounded them, said Faden, a bioethicist at Johns Hopkins University. Experiments often were kept un-

der wraps for decades because of fear of bad publicity, the advisory panel found.

A draft copy of the nearly 1,000-page report was obtained by the Associated Press. It concludes that most of the 4,000 experiments that the panel documented involved adult patients who were given low-dose radioactive tracers that "are unlikely

These cases involved "deliberate attempts ... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment."

to have caused physical harm" or resulted in long-term health concerns.

Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic Energy Commission.

That case, in which 18 seriously ill civilians were injected with small doses of plutonium, is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections. The other two cases the panel said warranted compensation involved a person who was injected with zirconium at about the same time as the plutonium experiments, and an experiment in which individuals were subjected to whole-body radiation, also in the 1940s.

These cases involved "deliberate attempts ... to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the presidential panel said. It called them "assaults on privacy and individual rights."

The identity of those subjected to the zirconium and the whole-body radiation are not known, the panel said.

Tuesday, October 3, 1995

DAILY CAMERA 7A

Tuesday, October 3, 1995

Few radiation subjects 'harmed'

By Mariene Cimon
Los Angeles Times

WASHINGTON — A presidential advisory committee today will recommend extending an official apology and financial compensation to a handful of the thousands of Americans who were unwittingly exposed to radiation in secret government-sponsored experiments in the years following World War II.

The committee studied nearly 4,000 experiments. But it concluded that only three, involving a few dozen subjects, raised legal and ethical concerns severe enough to warrant apologies and compensation.

While criticizing the conduct of federal officials and others involved, the commission concluded that apologies and compensation were not appropriate in most cases because most of the experiments — conducted between 1945 and 1974 — posed little danger to participants.

Panel says handful due money, apology

The panel said it believed that people used as research subjects without their consent "were wronged, even if they were not harmed."

However, the panel said it was "not persuaded that . . . financial compensation is necessarily a fitting remedy when people have been used as subjects without their knowledge or consent but suffered no material harm."

An apology and compensation were called for, the report said, in instances where information about the experiment was kept from subjects to avoid embarrassment or potential legal liability, "and where this secrecy had the effect of denying individuals the opportunity to pursue potential grievances."

Among the cases meeting this standard were those involving individuals

used in experiments that offered "no prospect of direct medical benefit" and where injury from the experiments resulted.

Specifically, the panel recommended that apologies and compensation go to the families of 18 hospital patients, most of whom were terminally ill at the time, who were unknowingly injected with plutonium between 1945 and 1947.

The committee also recommended that several subjects of total body irradiation experiments conducted during World War II, and the subject of a zirconium injection experiment, known only as Cal-Z, also be included.

Noting that these cases have had a lasting impact on the country as a whole even though they occurred decades ago, the commission said, "The greatest harm from past experiments and intentional releases may be the legacy of distrust that they have left."

Calendar

Page 13 - THE TRANSCRIPT - September 29, 1995

6 to 9:30 p.m. - Rocky Flats
Citizens Advisory Board
educational presentation at
Westminster City Hall, lower
level multi purpose room, 4800
W. 92nd Ave. Call 420-7855.

Tuesday - October 3, 1995
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SOUTH CAROLINA EDITION

Most radiation test subjects at minimal risk, panel says

Associated Press

WASHINGTON — There would be little or no benefit in compensating or even notifying most of the people who took part in 4,000 government-sanctioned radiation experiments during the Cold War, a presidential panel says.

Concluding the tests posed little long-term risk, the advisory panel rejected the idea of widespread efforts to contact or provide medical follow-up for survivors among tens of thousands of subjects.

In nearly two years of investigation and a review of more than 100,000 documents, the advisory group found evidence of many tests in which subjects' consent was lacking or in doubt.

Experiments often were kept under wraps for decades because of fear of bad publicity, the advisory panel said, and in many cases the identity of test subjects remains unknown.

The nearly 1,000-page report, a draft copy of which was obtained by The Associated Press, is to be released by President Clinton today at a White House ceremony.

Most of the Cold War-era experiments involved adult patients being given low-dose radioactive tracers that "are unlikely to have caused physical harm" or resulted in long-term health concerns, the advisory panel said.

"The damage is not physical injury, although this, too, did occur in some cases, (but) the pain felt by people who believe that they or their loved ones were treated with disrespect," the report said.

Mr. Clinton ordered the review in December 1993 after detailed information became public about a series of 1940s experiments sponsored by the Atomic

Energy Commission in which 18 seriously ill civilians were injected with small doses of plutonium to learn more about the effects of radiation.

The plutonium case is one of three in which the advisory panel recommended monetary compensation for families of the victims, some of whom lived for many years after the injections. The other two cases the panel said warranted compensation involved a person who was injected with zirconium at about the same time as the plutonium experiments, and an experiment in which individuals were subjected to whole-body radiation, also in the 1940s.

These cases involved "deliberate attempts . . . to conceal (the experiments) for the declared purpose of avoiding potential liability and public embarrassment," the presidential panel said. It called them "assaults on privacy and individual rights."

The identity of those subjected to the zirconium and the whole-body radiation are not known, the panel said.

The advisory committee, chaired by Ruth Faden, a bioethicist at Johns Hopkins University, was less certain about how to deal with some of the other more questionable Cold War-era experiments, various details of which have surfaced in recent years.

In many such cases a formal government apology and financial compensation may be warranted, but as yet not enough information is available to make such a decision, the panel said. These cases included the irradiation of prisoners' testicles in Washington and Oregon, experiments involving school children at the Fernald School in Massachusetts, and research involving pregnant women at Vanderbilt University in Tennessee.

October 3, 1995
Best Quality

U.S. Panel Urges Apology to A-Test Victims

BY LYNN SWEET
SUN-TIMES WASHINGTON BUREAU

p. 22

WASHINGTON—The nation owes a personal apology, and in some cases cash compensation, to victims or heirs of victims of Cold War-era radiation experiments, according to a presidential advisory panel.

The conclusions of the Advisory Committee on Human Radiation Experiments, which would cover descendants of three terminally ill patients injected with plutonium by University of Chicago researchers in 1945, will be made public today by President Clinton.

A draft of the findings was obtained by the Chicago Sun-Times.

The 14-member commission was appointed by Clinton in January of 1994 in the wake of revelations of controversial experiments carried out between 1944 and 1974.

Of special interest to the panel and the Department of Energy Secretary Hazel

O'Leary were 18 subjects of the plutonium injection experiments.

Of those, the three University of Chicago patients were part of tests to determine how the body excretes plutonium, a substance used to make nuclear weapons.

University spokesman Larry Arbeiter said it is not clear if descendants of the three could be identified.

The panel identified some 4,000 human radiation experiments sponsored by the government during this period, but found it impossible to try to contact survivors from among the 60,000 original subjects.

In all, perhaps "hundreds" would be eligible for compensation, according to Stephen Klaidman, a committee spokesman. The report will go to a Cabinet-level group that will figure out who should be compensated and for how much.

Government secrecy was condemned by the panel, which concluded the "greatest harm"

from past experiments "may be the legacy of distrust they created."

"... Information about human experiments was kept secret out of concern for embarrassment to the government, potential legal liability, and worry that public misunderstanding would jeopardize government programs."

The U. of C. research, however, has been public knowledge for at least 18 years.

The panel recommended compensation for three cases—the plutonium subjects or their heirs; a person injected with zirconium, and several exposed to body irradiation during World War II. The identities of all these parties are not known.

Calling for safeguards, the panel said it was concerned about current regulations regarding the protection of human subjects and said "human research can still be conducted in secret today, and under some conditions informed consent in secret research can be waived."

Panel Urges U.S. to Apologize for Radiation Testing and Pay Damages

By PHILIP J. HILTS **A19**

BOSTON, Oct. 2 — After reviewing 30 years of Government-sponsored radiation experiments on humans, a Presidential Committee has concluded that many were unethical and that the Government should apologize.

The committee also recommended that the Government compensate the patients for at least nine experiments in which they were subjected to radiation without their knowledge and the experiments were concealed from the public.

As far as many other experiments, the committee said there was not enough evidence to say whether apology or compensation was merited, but the search for such evidence should continue, the committee concluded.

The experiments took place in a period between 1944 and 1974. Several of the most egregious ones had come to light earlier, prompting Energy Secretary Hazel O'Leary to recommend a full inquiry, which led to the President's Advisory Committee on Human Radiation Experiments, which worked for 18 months.

The nine experiments for which it recommended apologies and compensation included:

¶A series of experiments from 1945 to 1947 in which 18 people at the University of Rochester and three other universities were injected with radioactive plutonium without their knowledge.

¶A series conducted from 1942 to 1945 at three universities in which 29 patients were given radiation over their entire bodies, mainly to see the effects on the body rather than to

A committee says the search for evidence should continue.

treat the patients, and the experiments were concealed.

¶An experiment in 1948 in which a patient at the University of California was injected with radioactive zirconium, and the experiment was concealed.

¶Total body irradiation performed at the University of Cincinnati and other universities on hundreds of patients from 1950 until the early 1970's, which was called "therapeutic" as well as experimental.

¶An experiment in which the testes of 131 prisoners in Oregon and Washington were irradiated from 1963 to 1973.

¶An experiment at the University of Rochester in the 1940's in which six patients were injected with uranium, plus several experiments at Harvard University.

¶A trial in which radioactive iodine was given to hundreds of children at schools for the retarded in Massachusetts from the 1940's to the 1960's.

¶In 1956 and 1957, the United States Air Force administered radioactive iodine to 120 people, most of them Eskimos and Native Americans.

¶At Vanderbilt University in the 1940's, 820 pregnant women were given small doses of radioactive iron.

Besides these experiments, there was another case the panel's chair-

woman, Dr. Ruth Faden of Johns Hopkins, said that "we were all outraged about. What was done to the uranium miners, though it was not an experiment and not directly under our charge, was unconscionable."

The committee found that the several thousand workers who mined uranium for the Government to make the atomic bombs were exposed to relatively high levels of radiation. Officials knew of the hazard, and were aware that simple ventilation of the mines could significantly reduce it but took no action and did not inform the miners, Dr. Faden said.

In statements today, lawyers and doctors who represent some victims of the experiments praised the committee's work in unearthing so many new documents but criticized it for not finding more fault with the Government and its scientists.

E. Cooper Brown, a lawyer and member of the executive committee of the Task Force on Radiation and Human Rights, an umbrella group for radiation victims, said that "Now we have a far more complete picture." But he faulted the panel for saying it lacked the staff to locate and notify all those who might have been subjects of experiments.

"When they heard that, the victims' community hit the roof," Mr. Brown said. "Also, the people in these experiments have a right to know, they were denied consent and have a right to decide for themselves whether they should consult a physician. What the committee has done tends to perpetuate the original crimes."

Dr. David S. Egilman, of Brown

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The New York Times

Circ: 1,145,890

OCT - 3 1995

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University said, "Where does the Government come off setting such a high standard for apologies? If I step on someone's toe, I apologize." He said it was important to note that members of the panel were themselves from the institutions where the experiments were carried out, such as Harvard and Johns Hopkins Universities.

Dr. Faden, an ethicist whose parents were both survivors of concentration camps, said in an interview on Thursday that the most difficult problems the group faced were the lack of documentation to say just what happened in the experiments carried out on thousands of people, and then, by what standards ethical violations should be judged.

"We made judgments as best we could, and concluded there were some wrong things done that were wrong today and wrong then — 40 or 50 years ago. Others, we felt were wrong today, but by the standard of the time, it would be hard to hold them out for great blame."

As to the notification of those who were subjects in the experiments, she said, "We as a committee made an absolute commitment to the position that, first, every American citizen should be able to find out what happened and how the government conducted itself, and second, whether they or a loved one was involved in an experiment."

"But it became clear early on in our research," she added, "that we were not talking about hundreds of cases, but about many thousands of cases. Even with huge efforts and years of time would could not recover all the lists of patients in all those experiments."

Instead, the committee created what Dr. Faden called "a road map" to the committee's documents and other records, a citizen's guide to help anyone trace experiments and whether they might have been part of one. The committee's entire record of evidence will be placed in the National Archives.

The committee's report has been passed on to President Clinton, who is expected to hold a press conference on the issue on Tuesday.

Panel Urges Compensation for Radiation Subjects

Thousands of Victims of Cold War Research Could Be Eligible for Financial Remedies

By Gary Lee
Washington Post Staff Writer

AL

A presidentially appointed panel has recommended that the federal government compensate about 30 individuals who were subjects in radiation experiments sponsored by government agencies during the Cold War, and has established guidelines under which thousands more victims of the controversial research could be eligible for financial remedies.

In a 1,000-page report scheduled for release today, the Advisory Committee on Human Radiation Experiments proposed that surviving subjects of three research projects—or the families of deceased subjects—should receive monetary damages and an apology from the government.

The three experiments cited included a highly publicized case from the 1940s in which 18 seriously ill civilians were unwittingly injected with plutonium, another in which a single subject was injected with zirconium (a metal used in the construction of nuclear reactors) in the same period, and a third in which subjects were given total body irradiation during World War II.

The 14-member panel, appointed by President Clinton in January 1994, was charged with setting the record straight in one of the darkest chapters of American history. After Energy Secretary Hazel R. O'Leary expressed outrage over the widespread use of human subjects in radiation research, Clinton responded by enlisting the panel.

The group was asked to uncover the extent of experimentation, to de-

termine whether the government had committed ethical mistakes during the experiments and to establish possible guidelines for compensating victims.

Following an 18-month search of hundreds of thousand of documents from the Atomic Energy Commission and other agencies sponsoring the experiments, the panel found that the federal government backed approximately 4,000 experiments involving tens of thousands of individuals between 1944 and the mid-1970s.

As startling as the range of the experiments was the apparently unwitting involvement of individuals from vulnerable population groups, including children, pregnant women and African Americans. In one case, mentally retarded teenagers at the Fernald School in Massachusetts were fed irradiated cereal. In another, the testicles of federal prisoners in Oregon and Washington state were irradiated with heavy doses of X-rays.

The panel concluded that subjects should be granted remedies in cases where the government made efforts to keep information about the experiments secret from them or their families in order to avoid embarrassment or potential liability. The report pinpointed three instances, including the plutonium injections, that clearly fit those criteria. These experiments were "assaults on privacy and individual rights," the report said.

The committee also proposed an elaborate set of conditions under which the victims of other experiments might be eligible for monetary

remedies or official apologies from the federal government. For example, it recommended that the government apologize to victims who received no direct medical benefit from participation in research, and provide financial compensation to those who suffered physical injury as a result of participation.

But the panel rejected proposals that the government notify all known victims of the experiments or their families and provide wide-scale medical follow-up to survivors.

The majority of the experiments involved adults who were given very low doses of radioactive tracers that were "unlikely to have caused physical harm" or to have prompted long-term health problems, the report said. Most of the experiments uncovered offered some potential medical benefit to participants, the report concluded.

Clinton plans to respond to the panel's recommendations in a White House ceremony today, according to a spokesman. The report, presented to Clinton yesterday, is scheduled to be publicly released at the ceremony. A copy was obtained by The Washington Post.

Ruth Faden, chair of the radiation panel and a bioethicist at Johns Hopkins University, said one of the most unfortunate aspects of the experiments was the great pains taken to conduct them in a shroud of secrecy. Individuals taking part in tests should have a right to know of their participation, she added. Faden said the panel has created a detailed database available to individuals who suspect they or their relatives may have been subjects. The data will be wide-

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Circ: 810,000

ly available to the public through files and on the Internet, she said.

Even today, she said, rules could allow some experiments to be conducted in secret. The panel also proposed establishing guidelines to protect the rights of subjects in future experiments. It suggested that the federal government sharpen the rules for gaining consent of participants and for public disclosure about the nature of experiments.

In the report, the panel said it found no surviving participants in biomedical experiments who need to be notified and provided with medical follow-up. It recommended that subjects of experiments who have an increased risk of greater than one in 1,000 of developing radiation-induced cancers may be eligible for medical treatment, but only if the treatment can be shown to provide a clear medical benefit.

The report also suggests that special steps be taken to safeguard the interests of "atomic veterans"—military personnel who may have participated in tests or been exposed to intentional releases of nuclear materials.

Several organizations representing surviving victims of radiation experiments criticized the panel's report as far too restrictive in its recommendations for subjects who might be compensated or provided with follow-up treatment.

Much of the damage from the experiments, the report said, was "the pain suffered by people who believe that that they or their loved ones were treated with disrespect for their dignity and disregard for their interests."

Compensation for heirs of radiation experiment subjects recommended

By Richard Powelson
News-Sentinel Washington bureau

WASHINGTON — Congress should provide compensation to relatives of an Oak Ridge man and 17 people from other areas who were injected with radioactive plutonium in federal experiments in the 1940s, a presidential panel has recommended.

The White House Advisory Committee on Human Radiation Experiments, which releases its final report Tuesday after a year of study, cites no figure as to how much the families of the radiation-exposed patients should be paid, leaving that to Congress.

The Oak Ridge man, Ebenezer Cade, who was black, was the first of 18 people injected with plutonium at various federally supported facilities, starting in 1945. He was 53 at the time, a cement mixer, who suffered broken bones in a head-on auto collision.

Records show Cade was taken to the U.S. Army's Manhattan Engineer District Hospital in Oak Ridge for treatment and at some point was injected with radioactive plutonium. He died eight years later of a heart attack in Greensboro, N.C.

The advisory panel found a physician (not identified in the report) who claimed to have injected Cade without any formal consent.

"Mr. Cade was put at some — probably small — risk of cancer by the plutonium injection," the draft report says.

The experiments were conducted early in the Atomic Age when federal officials were concerned about the safety of nuclear workers exposed to radiation at federally supported plants. Scientists wanted to know if the human body could excrete plutonium and how much and how fast it would leave the body.

The panel's draft report also concluded thousands of other Americans are owed an apology for their exposure to radiation at U.S. facilities even though they suffered no health effects.

"The committee believes that people who were used as research subjects without their consent were wronged even if they were not harmed," the draft report says.

"We believe that these experiments were unethical. The subjects were hospitalized patients. Being ill and institutionalized left them vulnerable to exploitation.

"Physicians violated their (professional) responsibilities by giving the patients substances from which there was no expectation they would benefit and whose effects were uncertain."

The panel may revise parts of the report before the final draft is released Tuesday by the Department of Energy, the staff said.

Panel: No need to notify radiation test subjects

There would be little or no ^{Alp} benefit in compensating or even notifying most of the people who took part, often unknowingly, in some 4,000 radiation experiments the government sanctioned during the Cold War, a presidential panel says.

Concluding the tests posed little long-term risk, the advisory panel rejected the idea of widespread efforts to contact or provide medical follow-up for survivors among the estimated tens of thousands of subjects.

In nearly two years of investigation and a review of more than 100,000 documents, the advisory group found evidence of many tests in which subjects' consent was lacking or in doubt.

RADIATION TESTS: Only about 30 of the thousands of people subjected to government-sponsored radiation tests during the Cold War clearly should be compensated, a presidential panel recommends. Among the three experiments, involving 30 people; where compensation is warranted: a 1940s test where 18 people were injected with plutonium. The panel said others may be entitled to compensation after more information is known. **4A**

South Pacific Forum cuts ties with France **7A**

The 16-nation South Pacific Forum on Monday suspended its diplomatic ties with France after the country ignored world opinion and exploded the second and possibly biggest of its new series of nuclear bombs in the South Pacific. Dozens of South Koreans protested outside the French Embassy in Seoul, as Australia, Japan, New Zealand, South Korea and the United States voiced their objections. But France said it has no intention of abandoning its nuclear test program until it has completed its task of assuring French security. The White House, meanwhile, defended its statement of "regret" as a strong rebuke of France's nuclear tests.

ACROSS THE USA:

NEW JERSEY **9A**

TRENTON — The state's attempt to block the sale of oxygenated gasoline this winter was illegal, a federal judge ruled. The Clean Air Act requires hearings and EPA OK before air pollution measures can be changed.

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TRANSCRIPT

FOR DEPARTMENT OF ENERGY

STATION CBS Network

PROGRAM CBS Evening News

CITY Washington, D.C.

DATE October 2, 1995

AUDIENCE

SUBJECT Radiation Tests

BROADCAST EXCERPT

DAN RATHER: A Presidential panel today recommended against financial compensation for thousands of American citizens subjected to the U.S. government's secret radiation experiments during the Cold War. The Presidential panel also rejected contacting the test subjects even though many received the radiation without their knowledge or consent. The panel concluded that in most cases the radiation posed no long-term health risks.

SUNDAY, SEPTEMBER 24, 1995

Radiation probe ends, few apologies

US panel opposes broader penalties

By Scott Allen
GLOBE STAFF

An advisory committee to President Clinton that documented evidence of 4,000 human radiation experiments, some of which seem to leap from the pages of science fiction, has recommended only three cases where the federal government should apologize and compensate the test subjects.

The committee's voluminous report — already under attack more than a week before its official release — caps nearly two years of study that followed Energy Secretary Hazel O'Leary's promise to investigate government-backed experiments during the Cold War, such as injecting people with deadly plutonium to see how it affected their bodies.

The Advisory Committee on Human Radiation Experiments agreed that the plutonium injections, blamed for the deaths of at least two people, were so heinous that the government should pay the victims' families, according to a copy of the final report obtained by the Globe. In all, the panel calls for payments to the families of about 25 test subjects in three experiments.

President Clinton appointed the panel in December 1993 to determine the extent of human radiation testing during the Cold War, and to



HAZEL O'LEARY
Probe was promised

decide whether any of the research was either unethical or harmful to test subjects.

But the panel's inability to reach a verdict on thousands of other Cold War-era experiments — including high radiation doses blamed for at least eight deaths in Cincinnati, the irradiation of prisoners' testicles in Oregon, and experiments on children in Massachusetts — has angered advocates for test subjects across the country.

"They flinched when it came time to put pencil to paper and say wrong has been done," said Anthony Roisman of the Human Experiment Litigation Project, which is suing Mass-

RADIATION, Page 19

MY FIRST
COLORING BOOK
Sunday: Mostly sunny, 6-6
Monday: Clouding up, 6-
Details, Page 45

Payment in 3 radiation tests advised

Broader penalties opposed by US advisory committee

■ RADIATION

Continued from Page 1

achusetts General Hospital over radiation experiments on the terminally ill.

The task force, chaired by Johns Hopkins University bioethicist Ruth Faden, concluded that there are too many unknowns for the group to make final judgments in the vast majority of experiments conducted on tens of thousands of Americans. Instead, the panel set up ethical guidelines for others to apply to individual cases.

The task force also identifies some seemingly abusive research where test subjects would be "candidates" for an apology and compensation once key facts, such as whether the radiation exposure hurt people, are known.

But the task force seems to oppose the kind of notification and medical follow-up necessary to find out those key facts, say advocates.

Recommends against notification

The report suggests that people who still do not know they were used in radiation experiments, in general, should not be notified. According to the draft, even those who face an increased risk of brain cancer from having radioactive radium inserted in their noses as children should not be told what was done to them, on the grounds that there is no early detection method for brain cancer anyway.

"By not reaching out to the victims, it perpetuates the original cover-up. It reeks of, at best, paternalism," said Dan Burnstein of Brookline, president of the Center for Atomic Radiation Studies that revealed the radiation research on children at the Fernald School in Waltham.

The hostile reaction could put Clinton in the line of fire when he receives the report at a public event scheduled for Oct. 3. Clinton had hoped to use the 932-page document to dramatize his administration's commitment to revealing government-backed radiation experiments and doing justice to people hurt by them.

A spokesman for the task force declined comment on the upcoming report, saying the group preferred to wait for the official release date.

The report, the fruit of more than a year of poring through archives and listening to testimony, lays out a framework for judging vast amounts

of government-funded or executed research that took place from 1944 to 1974.

By all accounts, the combined efforts of staff on the task force and at the Department of Energy have produced an impressive accounting, ranging from the relatively benign use of trace amounts of radiation to the deliberate poisoning of people to simulate how bodies would respond to nuclear war.

Defenders of the experiments argue that attitudes about radiation were different then than today — people willingly had their feet X-rayed to see if new shoes fit, for example. They also stress that most of the research had legitimate goals — for instance, research on children at the Fernald School was aimed at better understanding human nutrition.

But the Advisory Committee finds that neither the differing standards of the times nor the often-

'By not reaching out to the victims, it perpetuates the original cover-up. It reeks of, at best, paternalism.'

DAN BURNSTEIN
President of the Center
for Atomic Radiation Studies

laudable goals of the researchers excuse the exploitation of people. The panel said researchers should be held to the same standard as Nazi doctors tried as war criminals: patients shouldn't be subjected to potentially harmful procedures without their consent.

The task force was harshest in judging three research projects: the plutonium experiments, an experiment where a person was injected with zirconium, and another where people had their entire bodies irradiated. Not only were people injured, the panel found, but the government concealed the nature of the work from the victims.

"Because of the offensiveness of the government's actions, justice today warrants a remedy of financial compensation," according to the panel's draft report.

But the other experiments, involving tens of thousands of test subjects, fall into a grayer area for the task force.

For instance, the task force finds the use of institutionalized children in experiments at the Fernald School "morally troubling" largely because the children were lured into taking part with promises of gifts or occasional trips to a Red Sox game. Even when children refused to participate, the panel concludes "the investigators seem to have been unwilling to respect the child's decision."

But, having determined that the Fernald children were "unfairly burdened" by the researchers from Harvard University and the Massachusetts Institute of Technology, the draft report makes no recommendation on what should be done for the victims.

Information lacking

The panel also said it lacked the information to make a judgment on other highly publicized radiation experiments including the high radiation exposures at the University of Cincinnati, research on pregnant women at Vanderbilt University, testicular irradiation of prisoners in Oregon, and uranium injections into the terminally ill at MGH.

If someone proves that people were harmed as a result of those research projects, the panel concludes, "the government should take steps to ensure that the remedies of apology and financial compensation are awarded."

The task force had fewer reservations about the vast majority of experiments, finding that test subjects generally don't need to be notified that they were used in experiments if they don't already know.

The draft report recommends notifying only those test subjects who face more than a 1 in 1,000 cancer risk as a result and who could benefit medically from knowing about the research. The panel predicts that few, if any, test subjects would qualify for notification.

Dr. David Egilman of Braintree, medical adviser to the National Committee for Radiation Victims, said the report's weakness reflects the fact that the task force included representatives of the very institutions, such as Harvard, that carried out the research.

"This is the perfect report for a commission appointed by Clinton. It's wishy-washy. It tries to please everybody, so it pleases nobody," said Egilman.

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WASHINGTON, D.C. 20585

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