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EMBASSY OF THE REPUBLIC OF
THE MARSHALL ISLANDS

Holly Barker

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Message:

Attached are materials for Interagency Working Group. More information will be forthcoming as we get it. FYI - I do not yet have a copy of the agenda for Thursday, June 20th's meeting. Call if you have questions at 202-586-5319. Have a good week!

This fax was sent using Castelle's FaxPress network fax server.

**From: Elly Melamed
Department of Energy**

Date: June 14, 1996

Subject: Briefing Paper on the Marshall Islands (Recommendation 8)

Background

The Advisory Committee recommended continuing current DOE surveillance program for Marshallese exposed to fallout from US atomic tests as long as the exposed population remains alive; reviewing the program to determine if other atolls should be added; and establish an independent panel to review the current program for providing medical care to the exposed population; and involve the Marshallese in the design of any further medical research.

The Department of Energy recognizes the difficulties and inequities in the current program of medical care for the Marshall Islands and fundamentally agrees with all these recommendations.

The fundamental problem is additional funding: the Department has no additional funds available to allocate to this program. New efforts will have new costs and the Marshallese are already concerned that the current program is not funded at a sufficient level.

The Marshallese assert that they do not seek additional surveillance of additional atoll populations; they are interested in more local control of services provided by DOE and DOE and an extensive expansion of medical care facilities and services available in the Marshall Islands, including construction of a new hospital. The need for medical care is not directly linked to past radiation exposures.

- If the medical care program were to be significantly expanded, DOE is concerned that it is not the appropriate agency to undertake a broad medical delivery effort; other agencies have more expertise and experience in this matter. There are indications that the Marshallese agree with this position.
- There are complicated scientific, logistic, and financial questions in terms of expanding the current program that would need to be considered by Congress, the Department of Energy and the Department of the Interior.
- DOE would like the review panel to be a "blue ribbon group" that focuses on the current program and how to help build infrastructure and self-sufficiency for the Marshallese medical program. The Marshallese want study a National

Academy of Sciences study which would be more expensive, take longer and retrospectively consider the past program rather than on future options.

Actions Taken

- DOE has been aggressively meeting with the Marshallese and has affirmed its plans to continue the current program, its willingness to support efforts to review the issue of adding further atolls, to establish an independent panel to review the direction and scope of the surveillance program and to work with the Marshallese to involve them in any decision making and to allocate funds according to their priorities. The Marshallese have been responsive to these assurances.
- DOE has also met with Department of Interior staff who administer the medical care services to the Marshallese in efforts to better coordinate US efforts and answer the needs of the Marshallese.
- DOE is willing to expand the surveillance program if appropriate funds are available from Congress; such funds cannot simply be transferred from existing DOE health and safety programs. A Senate hearing scheduled for June 22, 1996 will explore existing DOE and DOI programs, the Marshallese requests and attendant costs in more detail.
- DOE is concerned about the expense and the length of time involved in a study by the National Academy of Science. New funds would have to be provided by Congress for such a study to avoid compromising the current medical program.

Options

1. Let the Congressional inquiries play out, continue active negotiations with the Marshallese that would support the Marshallese desire for more local control of program directions and implementation, but do not advance legislation calling for a greatly expanded budget and health care program in the absence of Congressional Initiative.
 - Pro - Would continue to provide medical care to the acutely exposed population under the Department of Energy's (DOE's) program.
 - Would meet DOE's current Congressional mandate.
 - Would allow Congress to decide on eligibility criteria for inclusion in the program.

- Would leave Congress in the position of deciding what level of funding is needed to meet the concerns expressed.
 - Would enable DOE to continue to build on improved relationships with the RMI.
 - Con - Would not address the RMI coverage concerns expressed during the Advisory Committee's review.
 - Would leave a poorly functioning Department of Interior (DOI) medical care delivery system intact for the bulk of the Marshallese populations also exposed to some fallout dose, while continuing to provide high quality medical care to a very few.
2. Administration submission of legislation supporting Marshallese desire for medical coverage of all Marshallese believed to be exposed and who are experiencing radiation related health effects. (Assumes adding patients to the current DOI 177 Health Care Program and increasing patient care levels to \$5,000/patient/year.)
- Pro - Would continue in the spirit of trying to find an equitable way to deal with the U.S. Government moral commitment to provide at least a minimal level of primary medical care to all deserving Marshallese citizens.
 - Would honor Departmental commitments to work toward a solution that can ameliorate, in some fashion the inadequate status of medical care delivery in the Marshall Islands.
 - Offers the opportunity to bring in a federal agency more qualified to provide health care delivery program of this magnitude.
 - Con - Would cost the Administration some \$17.5M annually to add just the 3,500 Bikini and Enewetak proposed by Amendment 4039 to S. 1804, or
 - If the additional populations of Ailuk, Likiep and Wotho (some 1900 additional) are added, costs would be driven to \$66.9M annually. This assumes treatment of the some 13,370 patients (11,470 plus 1,900).

**From: Elly Melamed
Department of Energy**

Date: June 14, 1996

Subject: Briefing Paper on Notification (Recommendation 4)

BACKGROUND

The President's charge to the Advisory Committee on Human Radiation Experiments was that: "If required to protect the health of individuals who were subjects of a human radiation experiment, or their descendants, the Advisory Committee may recommend to the Human Radiation Interagency Working Group that an agency notify particular subjects of an experiment, or their descendants, of any potential health risk or the need for medical follow-up."

In response to this charge, and using a traditional public health approach, the Advisory Committee analyzed in detail a subset of human radiation experiments involving children that they judged to represent the highest risk incurred from radiation exposure and the potential benefit of medical followup. They found that almost all of the experiments involved small radiation doses with a remaining lifetime risk of cancer of less than 1/1000, a minimal level compared with normal risk of dying of cancer. Many experiments involved tracer doses, similar to those used in medical diagnostic procedures today.

With regard to brain, head, and neck cancers among children and military personnel exposed to nasopharyngeal radium treatments, the ACHRE did find that these subjects exceeded the 1/1000 threshold for lifetime cancer risk but they found neither an accepted nor a recommended screening procedure for these tissues.

Therefore, the Advisory Committee recommended against notification and medical monitoring for subjects of biomedical human radiation experiments; it also cited potential risks and adverse effects of a widespread notification process.

Nonetheless, radiation stakeholders and possibly some members of Congress believe the government should track all experiments back to individual subjects, notify subjects of their past involvement in experiments, and provide medical care to these subjects.

Some stakeholders do not accept the risk analyses underlying the ACHRE recommendation. In addition, some stakeholders believe the government should provide medical care to subjects regardless of the ability of medical monitoring

focused on preventing or mitigating currently recognized consequences of radiation exposure.

FEASIBILITY AND UTILITY ISSUES

The Interagency Working Group has strong concerns that notification is impractical, and unlikely to confer benefits, or to satisfy the groups who are requesting it. It is worth noting that the Administration's charge to the Interagency Working Group did not specify that individuals should be located and notified; the Varney Memo simply instructed agencies to locate records about experiments.

In many cases, documents do not identify subjects by name. In some instances, it may be possible to uncover subjects' names through elaborate records searches (e.g., by hand review of all medical records of Brookhaven Hospital) but it will be extremely difficult or impossible to trace and actually locate people.

Meaningful notification would require a contemporary dose analysis and presentation of risk which is complicated and expensive; data is often inadequate to carry this out.

At least at DOE sites, many subjects knew they were involved in experimental studies; it is unclear how they would benefit from the notification process or whether these are the subjects the stakeholders are trying to reach.

The universe of records relating to individuals to which the government has access is limited; many stakeholders, for example, have indicated that their greatest concern is records of private hospital and universities where confidentiality and privacy rules prohibit government access.

In addition to risks and adverse effects identified in the notification process by the Advisory Committee, there is the strong possibility for invasions of personal privacy.

DOE polled all eight of its sites at which verified experiments took place; all provided data and made the judgement that further notification efforts were not worthwhile; they generally characterized the potential process as a high cost, low yield endeavor.

ADMINISTRATION ACTIONS TO ENSURE OPENNESS

The entire human radiation experiments process was predicated on openness and providing as much information to the public as possible about this chapter of cold war history.

All Advisory Committee meetings were open; some were held outside of Washington; stakeholders were asked to participate at the open forums.

Agency search efforts and methods were fully described and available for public review.

A telephone Helpline for those who thought they were potentially subjects of experiments was established at the beginning of the project; agencies responded directly to these individuals who identified themselves through this process.

Agencies provided close to a thousand cubic feet of records to the Advisory Committee; all records located for this project are available to the public at the National Archives in College Park. DoD and DOE records are also available at the Coordination and Information Center in Nevada.

All agencies are in the process of making their documents available on the Internet World Wide Web with full text searching across agency collections; all will continue to make information available as it is located.

AGENCY-SPECIFIC ACTIONS

Individual agencies effectively tailored notification and search efforts and products to meet their individual situations and histories; examples of specific activities follow.

The Department of Energy:

- Produced three publications - a Roadmap, a List of Experiments, and an Oral History - and made over 250,000 documents available on the Internet World Wide Web.
- Notified next of kin for 14 of the 18 plutonium injection subjects; others could not be located. In response to Helpline requests, notified 15 individual subjects and next of kin that they were involved in human radiation experiments involving DOE and its predecessors. The cases of 3,100 additional people who wrote or phoned were intensively researched and supplied with specific information. Many thousands of other callers were referred to other agencies or received responses that did not require research.
- Is developing a workshop for stakeholders on how to research individual information across the government and using other private and public sources.

The Department of Defense:

- Is producing a publication documenting its search and is leading the interagency effort to put all documents on the Internet.
- Is also working through a caseload of 5,992 inquiries of which some have been closed out and some referred to other agencies; 997 are currently undergoing active research.
- In response to an Institute of Medicine report on thyroid tests involving Alaskan Natives, which recommended notification and follow-up of the juvenile participants, the Air Force determining appropriate follow-on and working to identify six Alaskans and six soldiers whose names were omitted from the report.
- Is working with the Veterans Administration to provide information to the medical and veterans communities about the veterans who received nasopharyngeal irradiation; some names have been located and efforts are being made to find additional information in order to notify these subjects. The effort is proceeding because there is some concern that such treatment incurred increased risk of head and neck cancer and even though these radiation treatments were conventional medical practice at the time, and there is no established means of preventing such cancers.

Other agencies:

- The Department of Veterans Affairs (VA) has responded to approximately 1,450 inquiries; VA also identified and reviewed the protocols for 53 research projects, determining that all doses were tracer levels.
- Health and Human Services (HHS) responded to the 88 individuals who wrote to the agency, of which eight had records at the National Institute of Health (NIH) Clinical Center; a physician from the NIH Clinical Center's Nuclear
- Medicine Department reviewed each case, explained the extent of exposure, and offered an evaluation of risk.

WHAT ARE THE GOVERNMENT'S OPTIONS?

1. The government can attempt to carry out the individual notification effort that the stakeholders and some Members of Congress would like to see done.

Pro: This effort would please the stakeholders who would see it as a good faith gesture whatever the outcome.

This may satisfy some of the concerns of Congress who feel that regardless of harm, subjects would want to know about their involvement.

Con: This effort would be extremely expensive, and is likely to be of limited value; the stakeholders would probably be disappointed with what is ultimately achieved.

The expert group set up by the President to make a judgement on this issue rejected this approach.

Benefits are unclear and potential exists for adverse reactions and invasions of privacy.

2. The government can accept the recommendation of the Advisory Committee and reject any additional notification efforts.

Pro: This is the simplest, least expensive approach and is consistent with conventional public health practice and with the expert Advisory Committee process set up by the President.

Con: This may produce adverse publicity if the Government is perceived as being unresponsive to a vocal constituency with longstanding and strongly expressed grievances.

Congress may possibly mandate some form of additional notification activity.

3. The government can fundamentally accept the Advisory Committees recommendation but also (a) carefully frame its response to make clear that a great deal has already been done that is part of a general openness/public notification process and (b) make a strong case for the difficulties and adverse impact of this process.

Pro: This allows the Government to make the choice that seems most consistent with the evidence available and the process established, but also attempts to mitigate negative political consequences and to more fully publicize and explain the actual issues involved - (there are not "thousands" of experiments that require notification).

Con: Stakeholders may be unwilling to accept anything less than an all out notification effort and Congress may still mandate some form of notification.

4. The government can do (3) above, but in addition investigate the possibility of offering Medicare coverage to members of certain groups who are not yet eligible for this coverage. Three potential groups are the atomic veterans, the uranium miners, and the Nevada test site downwinders. All three of these groups have been formally recognized in legislation as subject of government sponsored radiation exposure. A very rough estimate of the numbers are: atomic veterans - approximately 400,000, approximately 200,000 of whom are believed to be ineligible for Medicare at this time; Nevada downwinders - approximately 19,000; and atomic veterans - approximately 18,000.

Pro: Avoids the problems of notification but provides medical coverage, a crucial issue for stakeholders, to three important groups.

May ultimately be more satisfying to stakeholder groups than biomedical experiments notification since it involves more subjects.

Represents a genuine attempt by the government to find compassionate ways to respond to stakeholder concerns.

Con: Potentially expensive.

May not be politically feasible given the current sensitivity with Medicare.

**From: J. Patrick Glynn
Department of Justice (DOJ)**

Date: June 13, 1996

Subject: DOJ Response (Recommendation 2) (From 2/16/96 Draft Response)

Recommendation 2: Apology and compensation where harm can be established, and where there was no prospect of direct medical benefit to the subject of the experiment. Several experiments and categories of experiments are proposed as candidates by the Committee.

Summary Response: As recommended by the Advisory Committee, in coordination with the Department of Justice (DOJ), and to the extent permitted by law, subjects (or their surviving immediate family members) will be offered reasonable financial compensation for human radiation experiments in which a government agency was involved in actions falling within the Advisory Committee criteria:

1. Experiments in which excessive secrecy deprived individuals of the opportunity to pursue potential grievances;
2. Experiments in which there was no prospect of direct medical benefit to the subject and physical injury resulted; or
3. Experiments in which interventions considered controversial at the time were presented as conventional or standard practice and physical injury resulted.

A streamlined administrative process, based on Federal Tort Claims Act procedures or other applicable law, will be used to offer compensation as part of a settlement of relevant claims. Maximum effort will be made to avoid lengthy litigation, including use of alternative dispute resolution, such as mediation or arbitration, where appropriate. The amount of compensation will be based on the extent of physical injury to the subject, the nature of the experiment, and the degree of government involvement. As needed, agencies will seek expert advice on scientific and medical issues. If compensation cannot be offered under existing law in any case under the stated criteria, the Administration will work with Congress to seek legislative relief in appropriate cases.

JOHN D. DINGELL, MICHIGAN, CHAIRMAN

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REID P.F. STUNTZ, STAFF DIRECTOR/CHIEF COUNSEL

U.S. House of Representatives
Subcommittee on Oversight and Investigations
of the
Committee on Energy and Commerce
Washington, DC 20515-6116

February 17, 1994

Ms. Christine Varney
 Deputy Assistant to the President and
 Secretary to the Cabinet
 The White House
 1600 Pennsylvania Avenue
 Washington, D.C. 20500

Dear Ms. Varney:

On January 11, 1994, members of the staff of the Subcommittee on Oversight and Investigations attended a meeting with you at the Old Executive Office Building concerning government-sponsored radiation experiments and the Administration's plan to address this sorry chapter in our history. In response to questions, an Administration official said that activities in the Marshall Islands would not be included in the review by the Human Radiation Interagency Working Group, which the White House has established, because there is no evidence that radiation experiments were ever conducted on humans living in those islands.

I am sorry to report that the belief that no human experiments were conducted in the Marshall Islands appears to be wrong. Recently, the Subcommittee learned that the inhabitants of Uterik Atoll may have been used as human guinea pigs in an effort to "get a measure of the human uptake when people live in a contaminated environment." This possibility is revealed by the January 13-14, 1956 minutes of the U.S. Atomic Energy Commission's (AEC) Advisory Committee on Biology and Medicine (see attached). For decades, this document was withheld from the public through its "secret" classification.

Not only does this document suggest the existence of yet another previously secret radiation experiment, it also reflects extraordinary callousness on the part of U.S. Government officials. According to the Advisory Committee's minutes, the inhabitants of Uterik Atoll "got initially about 15 roentgens" as the result of a nuclear test in the vicinity. Then, after a temporary evacuation, they were returned to their island which AEC officials characterized as: "safe to live on" but "by far

Health effects due to Atomic testing specifically excluded
 (1) Made scope of Committee's task impossible
 (2) Including MIT in scope would delay release of info about MITs because it would get lumped into whole record collect process is now in separate track

Not the reason for Commission scope
 Chapter defines scope as intent to release & intent to expose

Ms. Christine Varney
February 17, 1994
Page 2

the most contaminated place in the world...." AEC officials expressed enthusiasm for what they said would be "a very intriguing study" of the effects of a contaminated environment on the bodies of the Atoll's inhabitants:

"...it will be very interesting to go back and get good environmental data, how many per square mile; what isotopes are involved and a sample of food changes in many humans through their urines, so as to get a measure of the human uptake when people live in a contaminated environment."

The minutes do not reflect what, if anything, the people of Uterik Atoll were told about the level of contamination on their island.

One wonders why anyone, let alone scientists working for the United States Government, would knowingly allow significant numbers of people to live in "the most contaminated place in the world." Sadly, the possible explanation also appears in the Advisory Committee's minutes:

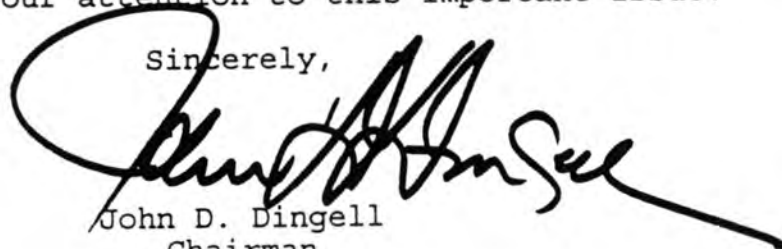
"While it is true that these people do not live, I would say, the way Westerners do, civilized people, it is nevertheless also true that these people are more like us than the mice." (emphasis added)

I am certain that you find this description of the inhabitants of Uterik Atoll as disturbing as we do. Even more disturbing is the fact that the scientist making the statement was apparently a U.S. Government official.

The Subcommittee trusts that a complete inquiry into the "study" alluded to in the Advisory Committee's minutes will be incorporated into the review being conducted by the Interagency Working Group and that the results will be shared with the Subcommittee, the American public, and, in particular, the people of Uterik Atoll. We request that the Human Radiation Interagency Working Group advise us of its plans with respect to this matter.

Thank you for your attention to this important issue.

Sincerely,



John D. Dingell
Chairman
Subcommittee on
Oversight and Investigations

all data
requested by
Marshfield will be
released as promised
by DOT to AmS Assoc
w/ including personally
classified data

Ms. Christine Varney
February 17, 1994
Page 3

Enclosure

cc: The Honorable Dan Schaefer
Ranking Republican Member
Subcommittee on Oversight and Investigations

The Honorable George Miller
Chairman
Committee on Natural Resources

Members
Human Radiation Interagency Working Group

February 26, 1994

MEMORANDUM TO TARA O'TOOLE

FROM: Phil Caplan 

SUB: Marshall Islands

I realize that as I begin to draft a response under Christine's name to Chairman Dingell, I do not know enough about this subject. Before we send a White House letter to the Chairman that will ostensibly be the Administration policy on this issue, I think we should discuss the response.

Although it is clear to me that we should not include the Marshall Islands in the current review, we need to determine, among other things, the Administration's response if the Congress decides to reopen the subject on a separate track. Also, I do not know what happened in the Miller hearing on Friday which may affect the letter. On the other hand, I suppose that we could send a very direct response to Dingell simply declining to include the Marshall Islands, but I think we should probably be more comprehensive given the recent attention. (We are in kind of a weird situation in that Dingell doesn't care as much about the issue as Miller does, but Dingell is to whom we must respond -- do you know if Miller has written a letter or did he ask for any information in the hearing so that we can respond directly to him as well? If not, Christine can write to him in response to his Nightline appearance.)

I propose that after the 4:00 meeting on Tuesday, we stay in the room and discuss this subject with the appropriate people. I will have the relevant people from DOD and Interior there as well. If you don't mind, please ask Mike Gauldin to bring the Nightline and World News transcripts and, if there was a DOE person at the Miller hearing, please bring him/her so that we can have a complete discussion. Thanks.

Please let me know on Monday if you think this is the right way to proceed.

cc: Christine Varney
Tracey Thornton

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THE WHITE HOUSE

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Phil Caplan

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Ms. Christine Varney
February 17, 1994
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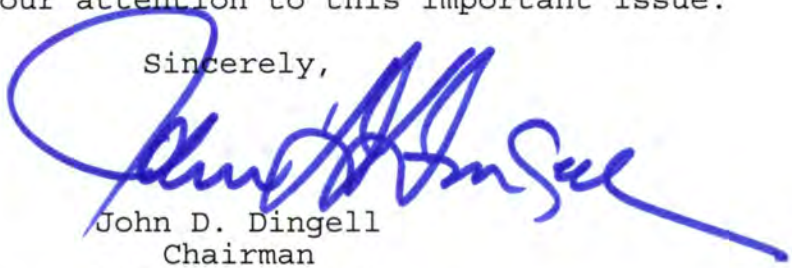
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Thank you for your attention to this important issue.

Sincerely,



John D. Dingell
Chairman
Subcommittee on
Oversight and Investigations

Ms. Christine Varney
February 17, 1994
Page 3

Enclosure

cc: The Honorable Dan Schaefer
Ranking Republican Member
Subcommittee on Oversight and Investigations

The Honorable George Miller
Chairman
Committee on Natural Resources

Members
Human Radiation Interagency Working Group

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ADVISORY COMMITTEE ON BIOLOGY
and MEDICINE

Classification

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January 13, 14, 1956

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WITH DELETIONS
BY AUTHORITY OF DOE/SA-20

BY R.S. DEWEY, DATE:

1/28/94
1-28-94
1/28/94

U.S. ATOMIC ENERGY COMMISSION
NEW YORK OPERATIONS OFFICE
HEALTH and SAFETY LABORATORY
70 Columbus Avenue
New York, New York

~~SECRET~~

~~SECRET~~
The information contained herein is classified
in the Atomic Energy Act of 1954 and is exempt
from release under the provisions of Executive Order
11652, February 22, 1956, and is being furnished
to an authorized person in accordance with the provisions
of the Atomic Energy Act of 1954.

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some work on fish samples, preferably I presume, taken more or less at the consumer level to see that the levels remain at about what we found for Castle.

Now, there may have been hotter fish found in here right after the test, but in terms of the actual -- probably the most toxic of the isotopes still, we are only dealing with a few per cent of the permissible levels so far. This may not hold, but that is our best estimate to date.

MR. EISENBUD: Thank you, John. Gentlemen, the adjournment time is 5:15, it is now 5:00. I had hoped to be able to make a few summary remarks and project a little bit of this into the future, but I don't need to do this now, I can do this tomorrow.

DR. FAILLA: It might be better to do it now.

MR. EISENBUD: I want to re-emphasize that the program you have heard today is a program that is in progress now.

If you heard it six months ago, it wouldn't be very different with one exception. None of the items have been reported in internal reports.

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~~_____~~

We have a few things that we are thinking about for the immediate future and I would like to mention a few of these.

We think that one very intriguing study can be made and plans are on the way to implement this -- "Uterik" Atoll is the atoll furthestest from the March 1st shot where people were exposed got initially about 15 roentgens and then they were evacuated and they returned.

They had been living on that Island; now that Island is safe to live on but is by far the most contaminated place in the world and it will be very interesting to go back and get good environmental data, how many per square mile; what isotopes are involved and a sample of food changes in many humans through their urines, so as to get a measure of the human uptake when people live in a contaminated environment.

Now, data of this type has never been available. While it is true that these people do not live, I would say, the way Westerners do, civilized people, it is nevertheless also true that these people are more like us than the mice. So that is something which will be done this winter.

~~_____~~

~~_____~~

- this is Miller's Gull

-

- Eisenhut is a security

- Dec 28th Newsweek

- we thought it was
striped - legend

- highly epileptic. ^{or} control

- screw up not called

Nuclear remarks under fire

'50s talk shocks 1994 observers

By Michael Hedges
THE WASHINGTON TIMES

AT

Documents found in the archives of federal atomic agencies reveal a callous attitude by U.S. scientists toward using Pacific islanders as test subjects after atomic blasts in the 1950s.

"While it is true that these people do not live, I would say, the way Westerners do, civilized people, it is nevertheless true that these people are more like us than the mice," said a scientist in the official minutes of a January 1956 meeting of the U.S. Atomic Energy Commission in New York.

"They have been living on that island, now that the island is safe to live on, but it is by far the most contaminated place in the world," he said. The minutes of that meeting were partially declassified in 1986. Last month more portions were released.

Those remarks have led Rep. John Dingell, Michigan Democrat, to ask the Clinton administration to reconsider its decision not to include Marshall Islanders in a widespread study of possible radiation experiments by the government.

The comments also may be raised at a hearing this week by a subcommittee of the House Committee on Natural Resources.

But the scientist quoted in the minutes said Saturday that his remarks have been taken out of context and possibly misstated. He warned of reaching conclusions in 1994 based on things said with a world view of the 1950s — a warning others have raised as the Clinton administration embarks on a review of government radiation experiments during the early years of atomic energy.

"I have seen those remarks; it is a mystery to me," said Merle Eisenbud. Mr. Eisenbud, who now lives in North Carolina, has been called to Washington to testify before the House committee on Thursday.

"The whole thing is taken out of context," he said. "That was a two-day meeting, and as I remember I

see TESTS, page A15

TESTS

From page A1

was doing most of the talking. I may have been tired, or the stenographer may have been tired. I may just have been stupid," he said.

But in any event, "we were not looking for effects" of radiation poisoning, he said. "The dose would have been too low for that. We wanted to develop models for how strontium-90 worked in the environment. There was a critical need to know that."

The Marshall Islands were the site of a U.S. hydrogen bomb test on March 1, 1954, the Bravo Shot near the Bikini atoll in the Marshalls that wafted radioactive ash throughout the Pacific island chain.

The remarks in the 1956 documents have led Mr. Dingell, chairman of the Energy and Commerce Committee and its oversight and investigations subcommittee, to petition the Clinton administration.

"Recently, the subcommittee learned that the inhabitants of Utirik Atoll [in the Marshalls] may have been used as human guinea pigs," he wrote to Christine Varney, President Clinton's executive assistant.

"Not only does this document suggest the existence of yet another previously secret radiation experiment, it also reflects extraordinary callousness on the part of U.S. government officials," Mr. Dingell wrote.

The minutes of meetings on Jan. 13 and 14, 1956, by the U.S. Atomic Energy Commission's advisory committee on biology and medicine total more than 300 pages. The parts that have been released seem to show an ongoing government effort to measure radiation effects in the Marshalls.

Mr. Eisenbud told the panel, "I want to re-emphasize that the program you have heard today is a program that is in progress now."

He continued: "We think that one very intriguing study can be made and plans are on the way to implement this. . . . Utirik Atoll is the atoll furthest from the March 1st shot where people were exposed, got initially about 15 roentgens."

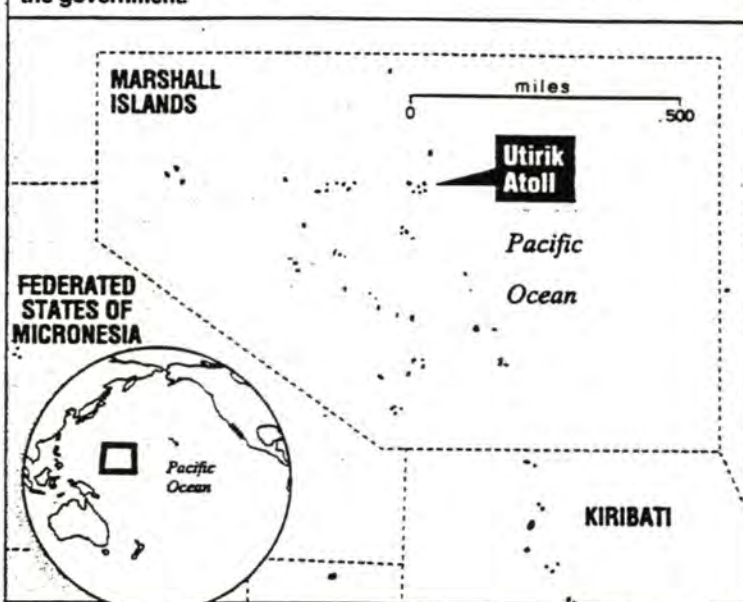
He said there were plans under way to test the urine of islanders, "so as to get a measure of the human uptake when people live in a contaminated environment."

"Data of this type has never been available," he said. "So that is something which will be done this winter."

But on Saturday Mr. Eisenbud

EXAMINING THE PAST

Rep. John Dingell, Michigan Democrat, has asked the Clinton administration to reconsider its decision not to include Marshall Islanders in a widespread study of possible radiation experimentation by the government.



The Washington Times

said that the government did not follow up on plans to gather data on the Marshall Islanders. "Our analytic methods were not very good in 1956," he said. "The fact that they were living in a contaminated environment could have allowed us to make measurements we couldn't make in New York or Paris or London," he said. "But in the end, we never followed up on that."

The 15-megaton thermonuclear Bravo Shot was 1,000 times more powerful than the bombs dropped on Japan during World War II. Utirik Atoll, and another inhabited island, Rongelap, were directly downwind from the explosion, with Rongelap only 100 miles from ground zero. About 239 islanders were exposed.

In a letter to Mr. Clinton in early January, Rep. George Miller, California Democrat, noted that "some Rongelapese have said they believe they were used as 'guinea pigs' to further U.S. understanding of the effects of radiation on humans."

"In light of recent disclosures regarding actual radiation experimentation in the United States during this period, that possibility cannot be ignored," he wrote.

But the administration decided in January that the Marshall Islands would not be included in the ongoing review by the White House's Human Radiation Interagency Working Group because there was no evidence that radi-

ation experiments were conducted on people living there.

Mr. Dingell said in a letter to the White House on Thursday: "Not only does this document suggest the existence of yet another previously secret radiation experiment, it also reflects extraordinary callousness on the part of U.S. government officials."

Ms. Varney could not be reached for comment Friday or over the weekend.

In his letter to the White House, Mr. Dingell emphasized the "mice" comparison in the transcript. Mr. Eisenbud said the remark was much more damaging isolated from a 300-page document than in context. "If you look at it, you see I said the mice. Earlier in the conversation we had been talking about an experiment using mice and I was referring back to that experiment," he said.

Since the 1980s the Defense Department has admitted that officials knew the islanders were in the path of windblown debris from the bombs.

When the Marshalls became an independent country in 1986, the United States said islanders had been compensated for the high cancer rates that afflicted them after the war. The Marshallese claimed the payments were inadequate and charged information had not been released. According to some studies, about 500 islanders or their children and grandchildren suffer some effects of radiation poisoning.

Postwar Pacific Fallout Wider Than Thought

New Data Show Radiation Spread Beyond Limited Area; House Hearing Set Today

By Gary Lee
Washington Post Staff Writer

After nuclear tests over the Marshall Islands in 1954, U.S. analysts concluded that the radiation fallout was limited. Only 287 persons and three key islands faced significant risk, federal officials said in the initial study. Although widely disputed, the assessment has prevailed over the years.

In fact, the post-explosion cloud of radioactive materials spread hundreds of miles beyond the limited area earlier described in the vast range of Pacific islands, according to federal documents recently discovered by congressional and academic researchers.

The fallout also probably exposed thousands of Marshallese and some U.S. troops to radiation, the documents suggest. The doses apparently were heavy in some cases. A new medical study shows that high rates of radiation-linked thyroid cancer are occurring in residents of the island of Ebeye, far outside of the region of nuclear danger initially pinpointed.

The documents, culled from federal archives, reopen one of the darkest chapters of U.S. Cold War history. Beginning with the Bikini test in 1946, the United States held 66 nuclear tests in the Marshall region in the 1940s and 1950s. In an attempt to keep abreast of Soviet hydrogen bomb advances, they staged the biggest series of tests in a six-week period, starting with the Bravo test on March 1, 1954. The Marshall Islands were pounded with six bombs that some critics say had the combined force of 3,000 times what was dropped on Hiroshima.

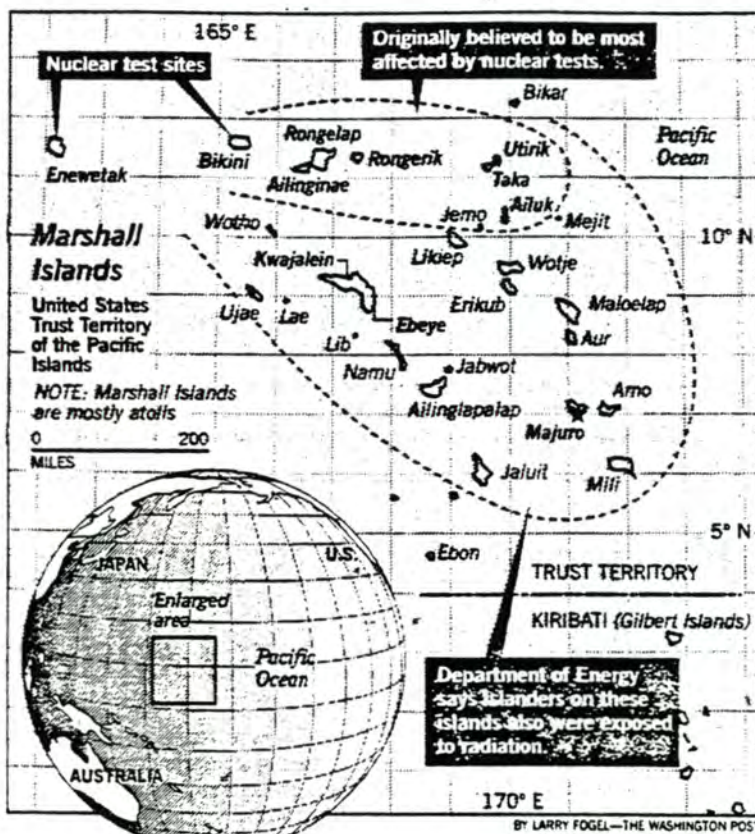
Yet, U.S. officials decided that there would be only limited precautionary steps to protect U.S. personnel and none to shield the Marshallese, who numbered about 20,000 at the time.

Rep. George Miller (D-Calif.), chairman of the House Natural Resources Committee, has called a special hearing today to review the newly uncovered material and make appropriate recommendations.

"We have clearly done a great deal of damage to the Marshall Islands and the people who live there," Miller said in an interview. "The U.S. government owes those people first of all full disclosure of what happened and what the fallout was. We have never given them that. But we also owe them compensation for their suffering."

The documents were taken from files at the Energy Department and its forerunner, the Atomic Energy Commission, and released by committee staff to help publicize the hearings. They make several new revelations:

- While publicized reports suggested that the only inhabited islands seriously affected by the fallout were Rongelap, Rongerik Utirik and Ailuk, all in the northern part of the islands chain, unpublished follow-up studies showed that distant islands and atolls also had received significant doses.



A 1973 DOE report said that fallout from Bravo, the first and biggest explosion, possibly affected 13 atolls, including Ailinginae, Kwajalein, Wotho and Wotje. Subsequent explosions may have hit some of the same areas, the report said. A subsequent Defense Department report, released in 1982, made similar conclusions.

"While we have focused so far on the effect of the Bravo test," said David Weiman, an environmental lobbyist who is to testify at today's hearing, "we should be measuring the accumulated effect of radiation from all of the tests, including fallout in things like rainwater, that the locals drank."

Weiman, who studied many of the files, feels they clearly indicated that the heavy radioactive cloud drifted over some of the southern atolls.

- A three-year study by Thomas Hamilton for the Marshallese government in the mid-1980s showed that there was fallout in far southern atolls. Hamilton also concluded

that the control group used to monitor radiation on other islands was on islands that also had been irradiated and thus probably was invalidated. DOE officials discounted Hamilton's study.

- U.S. military personnel, who have never been briefed about the tests, were stationed on some of the atolls.

In addition to the documents, Japanese and English doctors commis-

sioned by the Marshallese government recently released a study showing that residents of the atoll of Ebeye are experiencing thyroid cancer at 100 times the level expected in a typical population. Researchers examined 1,368 residents of the atoll, and Peter Oliver, a senior Marshallese official, reported the results to Miller last September.

Beyond the material suggesting a wider radiation fallout, the congressional panel will examine reports that U.S. officials knew before the tests were conducted that the explosions could irradiate populated islands.

Until now, official follow-up reports of the tests suggest that the radioactive debris was supposed to go north to northeast, where there are no atolls. However, an official weather report before the Bravo test indicates that the winds probably would send debris in a southern direction.

Although there were some attempts to move U.S. military personnel, there were evacuations of Marshallese only after the tests.

"We have deliberately kept that information from the Marshallese," Miller said. "That clearly constitutes a coverup."

"One of the biggest crimes here is that the government seemed to clearly know the extent of the fallout coming, but made no attempt to protect people from it," said Jonathan Weisgall. A Washington-based attorney, Weisgall represents Bikini island and is soon publishing "Operation CrossRoads," a book about the 1946 tests held on the island.

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Militia Chief Sees No Impending Chaos

By Keith B. Richburg
Washington Post Foreign Service

NAIROBI, Kenya, Feb. 23— Breaking a nearly two-month public silence here, Somalia's premier strongman, Mohamed Farah Aided, accused the media and other "doomsayers" today of sowing "hysteria" by predicting that the withdrawal of American combat troops from his country next month "will somehow trigger off sudden explosions of fighting among Somali factions."

But even as Aided scolded reporters for their pessimism, U.N. officials reported a flare-up of factional violence in the southern Somali port city of Kismaayo that appeared to be causing extensive casualties.

Aided made no direct reference to the Kismaayo clan fighting but said the port's problems demonstrated that the presence of U.N. peacekeepers was no guarantee of security. Foreign troops have been based in Kismaayo since December 1992.

"The departure of the foreign troops will have salutary rather than adverse effects on the search for peace and [a] negotiated political settlement in Somalia," Aided said, "and [the] prospect for peace in Somalia is now much better than it was last year."

Aided has been in Nairobi, the Kenyan capital, for most of the last two months, holed up on the fifth floor of a five-star hotel on the edge of Uhuru (Freedom) Park. The Mogadishu militia leader has been holding closed-door meetings with representatives of the 12 Somali political factions loosely allied against him, trying to forge a compromise that would allow the formation of a transitional government before the last U.S. troops vacate the country by March 31.

But Aided could report little progress in the talks today, and some aides said privately that there was virtually no hope of having a government in place by the end of next month.

"We realize that the press prefers dramatic conclusions of disputes, or open political meetings [instead of] secrecy and drawn-out negotiations," Aided said. He said the ongoing talks "were paying off handsomely" and near conclusion but could give no specific indications of progress. He said he needed to remain in Kenya to continue the discussions.

Aided met last week with the senior U.N. official for Somalia, Lansana Kouyate of Guinea, the acting special representative of the secretary general. The meeting is believed to be the first contact between Aided and a senior U.N. official since last year, when the United Nations ordered Aided arrested for his suspected role in masterminding ambushes of Pakistani peacekeepers and launched a bloody

The Split-Lens View of Russia U.S. Support for Yeltsin Upheld as Counter to Forces Behind Spy Case

By Daniel Williams
Washington Post Staff Writer

During all the months that an alleged Russian spy operation was under inquiry at the CIA, President Clinton maintained his policy of support for the government of President Boris Yeltsin in the spirit of post-Cold War collegiality.

With the revelation of the spy charges against Aldrich Hazen Ames, senior officials argue that to have done otherwise would have played into the hands of just the kind of people who ran the alleged operation: unrepentant Cold Warriors out to sink U.S.-Russian relations and Yeltsin's reformist government.

It is essentially a defense against accusations of naivete and other criticism that started building even before the political explosion over Russia's alleged payment of \$1.5 million to an American spy.

At stake is whether Clinton can maintain enough of a benign view of Russia's political and economic tran-

sition to justify reduced U.S. defense spending and a focus on U.S. domestic concerns. He must also justify aid to Russia, which next year is set at more than \$2 billion.

To do so, administration officials in effect have absolved Yeltsin of responsibility for the alleged spy operation and adopted a split-lens view of Russia in which the forces of light, seen as aligned with Yeltsin, are doing battle with the dark forces of extreme nationalism, Communism and undercover backers of Ames in Russia's intelligence community.

This analysis must stand up to the kind of security-oriented debate that had been submerged by expectations of a new age following the Cold War's demise. Already in the aftermath of the Ames case, some of the old Cold War terminology can be heard again.

Republicans chide Clinton and his leading adviser on Russia, Strobe Talbott, for being soft. Administration officials defend themselves with toughened expressions about the need for vigilance, tempered with hope. As described by Vice President Gore at a luncheon yesterday, the

administration policy is based on "vision without illusions."

The lesson of the arrest of Ames, one senior official said, is that "far from letting our guard down, we have it up."

Administration officials say no one should be surprised that Russia is still spying. The administration never tried to hide that, particularly from politicians on Capitol Hill, the officials add.

It has always been the administration view that Russia is still in the throes of a long-term power struggle between reformers and conservatives. If the conservatives prevail, a senior official said, "then Russia simply will not enter the peaceful community of nations. It is absolutely correct to support Yeltsin over forces who would overthrow him."

U.S. officials point to benefits they say have accrued from Clinton's policy: Russian cooperation on nuclear weapons issues; budding U.S.-Russian business relations; and, most recently, Russia's effort to persuade the Bosnian Serbs to move or silence artillery around Sarajevo.

"The spy incident, disturbing and deserving of a strong response, is not a relationship-buster," a senior official said.

But critics of the administration's handling of relations with Moscow point to a recent series of unsettling Russian foreign policy adventures virtually ignored by the Clinton administration in the interest of maintaining support for Yeltsin.

The administration is absolving Yeltsin of responsibility for the alleged spy case much the same way it excused a violent Russian intervention in Georgia last summer as the work of army renegades.

Suspicion that the new Russia is still expansionist at heart underlay the harsh Republican attacks during Tuesday's Senate floor debate on Talbott's nomination to be deputy secretary of state. "Unfortunately, the administration's architect for post-Cold War policy has actively pursued a Russia-first approach," Sen. Mitch McConnell (R-Ky.) said.

"Some of Talbott's comments make me wonder whether he gets his influence from Boris Yeltsin or Bill Clinton," Sen. Frank H. Murkowski (R-Alaska) added.

Until now, bipartisanship had been the rule on Russia policy. The new political schism means each future effort to aid Russia, the centerpiece of Clinton's foreign policy, will be met with intense skepticism, particularly since foreign aid is not a popular measure in either political party.

This prospect left U.S. officials pleading yesterday that "cooler heads prevail" before plans for future Russian aid are reduced or eliminated.

but futile manhunt to capture him.

The rapprochement appeared possible because of the silent departure from Mogadishu earlier this month of U.N. envoy Jonathan T. Howe, who initiated the controversial and costly operation against Aided. The Somali leader considered the retired American admiral a personal enemy, and Aided's supporters had branded him "Animal Howe."

Howe retains the title of special representative for Somalia, but he is in New York and is not expected to return to Mogadishu before his contract expires next month.

U.N. spokesman George Bennett, contacted by telephone in Mogadishu today, said Kouyate hoped to have a second meeting with Aided in Nairobi this week. In a sign of progress in Aided's improving relations with the United Nations, the militia leader for the first time dropped his demand that all U.N. troops be withdrawn from Somalia. He said U.N. forces could stay there as long as they limited themselves to protecting relief supplies.

Bennett said the fighting in Kismaayo was heavy and "the hospitals are full." A hospital run by the charity Doctors Without Borders reported receiving 15 casualties, and the Indian army field hospital in Kismaayo was treating six more seriously wounded victims.

The fighting was between supporters of rival militia leaders Mohamed Said Hersi Morgan and Omar Jess. A 90-minute firefight in Kismaayo 12 days ago left five people dead, 46 wounded and 3,000 Jess supporters displaced to the countryside.

Brenda Barton, a spokeswoman for the World Food Program, which has an office in Kismaayo, said the latest fighting appeared to have started when some of those Jess supporters attacked to reenter the city. Barton said the relief agency's workers in Kismaayo reported that Morgan's forces appeared to have repulsed the attack.

Peter G. Crane

Sm. Artlook

Where March 1 Is A Day of Mourning

Wash
Post
3/6/92

Forty years ago this month, on March 1, the biggest H-bomb the United States ever exploded—the 15 megaton “Bravo shot,” a thousand times more powerful than the Hiroshima and Nagasaki bombs—vaporized two islets in Bikini Atoll in the Marshall Islands and dropped several inches of fallout on nearby Rongelap Atoll. The 253 inhabitants of Rongelap had no advance notice of the blast. When the white powder floated down from the sky, they assumed it was snow, which they knew only from pictures, and the children frolicked in it. By nightfall, the Rongelapese were in the throes of severe radiation sickness and skin burns. Many bear disfiguring scars today.

In the Marshall Islands, now an independent republic, March 1 is a national holiday of remembrance and mourning

Two neglected victims of the Cold War.

for the victims of the nuclear tests. The Bravo shot, however, though the biggest and best known of the Marshall Islands tests, was only one of 67 atomic and hydrogen bombs set off between 1946 and 1958. These blasts have left a legacy of radiation-caused illness that has devastated the lives of many Marshallese and still overwhelms the nation's extremely limited medical resources.

Recently the House Natural Resources Committee, in a hearing chaired by Rep. George Miller (D-Calif.) reexamined the Bravo shot and the U.S. response to it. The hearing left in tatters the long-held U.S. government position that the Rongelapese were irradiated only because of an unforeseen last-minute change in wind direction. In fact, U.S. government weathermen had reported the day before that the winds were blowing toward Rongelap. A former Atomic Energy Commission official testified that a classified report, issued several months before the test but then withdrawn and suppressed, had called for a precautionary evacuation of Rongelap and other nearby atolls.

The hearing found no evidence, however, to support Rongelapese suspicions that they were deliberately exposed to radiation for experimental purposes. The Challenger tragedy is probably a better parallel: government officials so committed to a program and a schedule that they disregard information that could disrupt their timetable. But whereas after Challenger, a presidential investigating commission was established, in the case of Bravo, the government never tried to find out what had gone wrong. Instead, it embarked on a campaign of disinformation and concealment that went on for decades. Only now, with Hazel O'Leary at the head of the Department of Energy, has the government committed itself to releasing all the information about Bravo, and to a comprehensive survey of fallout and health effects throughout the Marshalls.

The first radiation-related thyroid abnormalities began appearing among the people of Rongelap in 1964. (The thyroid gland is especially sensitive to radiation.) Leko Anjan, a boy in his early teens, was sent to the United States to have his

thyroid removed. He later developed leukemia, which American doctors attributed to radiation, and he died at the National Institutes of Health at the age of 17. Throughout the Marshalls, cancers and other illnesses linked to radiation—most often, thyroid disease—began to show up with increasing frequency.

In the summer of 1991, I moved to the Marshalls with my wife and two young children to take a job as one of the three administrative judges of the Nuclear Claims Tribunal, which awards compensation—voted by Congress—to victims of the bomb tests. (In return for the promised compensation, the Marshallese dropped lawsuits against the U.S. government.)

To be a judge on the Claims Tribunal is both rewarding and heartbreaking, not only because the awards are small, but because they come late in life for people whose lives in many cases have been devastated for decades. All too typical is the case of one of my fellow judges, who goes to the plywood shack of a woman dying of cancer to kneel by her bedside and present what is supposed to be the first of a series of annual payments, although clearly she has only a few weeks to live.

Today there are many dedicated doctors and nurses, some from the U.S. Public Health Service, at work in the Marshalls. But they are too few and too poorly supplied for the enormous job they have to do. The country's health system cannot cope with the epidemic of radiation-caused illness on top of all the other medical problems common to impoverished Third World countries—especially malnutrition, which affects 90 percent of Marshallese children and accounts for one out of six deaths among children under 16.

Majuro has no desalination plant. For drinking water, the island relies on rainwater, collected on the airport's sloping runway and funneled to a rudimentary treatment plant. It is no surprise that water-borne disease is common, and that with no fluoridation, few in Majuro have healthy teeth.

What *should* the United States do? It should provide direct aid—by building needed facilities, for example—and earmarked aid, subject to close monitoring by the General Accounting Office. Let us begin by constructing a new, modern hospital, well enough equipped in the diagnosis and treatment of radiation-related illness that the Marshalls government does not have to spend its precious dollars sending patients to the United States. Let us provide more Public Health Service doctors and nurses, and so long as we have a military base on Kwajalein, let us use American ships and helicopters to get timely medical care to people who need it.

Let us also build desalination plants, to provide a dependable supply of safe, fluoridated water and more food to the malnourished children.

Whatever else we do, let us not forget that the suffering of the Marshallese people was not an accident. Innocent bystanders of the Cold War, they became casualties because the United States wanted someplace other than American soil to test its biggest bombs.

The writer, a U.S. government lawyer, was a member of the Nuclear Claims Tribunal of the Republic of the Marshall Islands in 1991-1992.

DRAFT

March 21, 1994

The Honorable John Dingell
Chairman
Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of February 17, 1994, raising concerns about radiation releases conducted by the U.S. Atomic Energy Commission in the Marshall Islands. Certainly, this Administration shares your concern about the treatment of the Marshall Islands residents who were exposed to radiation during U.S. atomic testing activities.

As you may know, the Department of Energy, as part of its openness initiative, will soon release documents relating to such atomic tests in the Marshall Islands. Documentation that may provide further information about the treatment of Marshall Islands residents following U.S. atomic testing will be covered by this initiative.

Christine Varney, who is coordinating the activities of the Interagency Working Group on human radiation experiments, has informed me that the atomic tests you have identified will not be included in its current investigation. The mandate of the Interagency Group and the Advisory Panel, established by Executive Order [number here], does not include tests conducted in the Marshall Islands. However, I am certain that you can expect full cooperation from the Department of Energy and other Executive agencies in providing documentation and records about the activities of the Atomic Energy Commission in the Marshall Islands.

Thank you for raising this matter to my attention.

Sincerely,

Leon Panetta
Director

DRAFT #2 as of 3.8.94

9
March 8, 1994

The Honorable John Dingell
Chairman, Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of February 17, 1994, expressing your concerns about the effects of radiation on the residents of the Marshall Islands. Chairman George Miller has also expressed concern about the Marshall Islanders which were the focus of a hearing he held on February 24, 1994.

Secretary Hazel O'Leary has pledged to Chairman Miller that the Department of Energy will soon make available any and all documents relating to these bomb blasts and fully comply with any of his efforts, or your efforts, to uncover any records dealing with treatment of the residents of the Marshall Islands. This pledge includes the release of previously classified material relating to the Marshalls.

We will not include these bomb blasts in the Human Radiation investigation as as they fall outside the scope of the Executive Order that established the Independent Advisory Committee and the parameters of the investigation.. Attached is a copy of the Executive Order for your reference.

It is my understanding that DOE and other Agencies will make every effort to cooperate with you in providing all documents and records and other information relating to the Marshalls.

Please do not hesitate to contact me if I can answer any questions or be of future service.

Sincerely,

Christine A. Varney
Secretary to the Cabinet

OFFICE OF CABINET AFFAIRS

THE WHITE HOUSE

WASHINGTON

FAX

TO: Tara O'Toole

DATE: 3/8/94

PHONE: _____

NO. OF PAGES 2
(Including cover)

FAX: 586-0956

PRIORITY: Y N

FROM: Phil Caplan

PHONE: (202) 456-2572

FAX: (202) 456-6704

MESSAGE: - Could you take a look at this draft. After your
approval/edits I need to show it to Tracey
Hornbaker and then send it.

- I spoke with GSA and understood that we have
office space - 1726 M Street

- Christine asked me about executive directors --
can she begin to interview soon?

Give me a call. Thanks.

THE WHITE HOUSE
WASHINGTON

March 18, 1994

The Honorable John Dingell
Chairman, Energy and Commerce Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of February 17, 1994, expressing your concerns about the effects of radiation on the residents of the Marshall Islands.

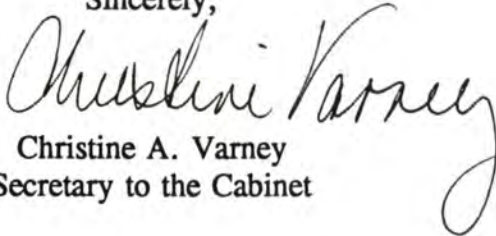
Secretary Hazel O'Leary has pledged that the Department of Energy will soon make available any and all documents relating to these atomic tests and fully comply with all efforts to produce any records dealing with treatment of the residents of the Marshall Islands. This pledge includes the release of previously classified material relating to the Islands.

We will not include these atomic tests in the Human Radiation investigation as they fall outside the Independent Advisory Committee's mandate, as reflected in the Executive Order that established the Advisory Committee. Attached is a copy of the Executive Order for your reference.

It is my understanding that DOE and other Agencies will make every effort to cooperate with you in providing all documents and records and other information relating to the Marshall Islands.

Please do not hesitate to contact me if I can answer any questions or be of future service.

Sincerely,



Christine A. Varney
Secretary to the Cabinet

Enclosure

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 18, 1994

EXECUTIVE ORDER

- - - - -

ADVISORY COMMITTEE ON HUMAN RADIATION EXPERIMENTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Establishment. (a) There shall be established an Advisory Committee on Human Radiation Experiments (the "Advisory Committee" or "Committee"). The Advisory Committee shall be composed of not more than 15 members to be appointed or designated by the President. The Advisory Committee shall comply with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) The President shall designate a Chairperson from among the members of the Advisory Committee.

Sec. 2. Functions. (a) There has been established a Human Radiation Interagency Working Group, the members of which include the Secretary of Energy, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of Veterans Affairs, the Attorney General, the Administrator of the National Aeronautics and Space Administration, the Director of Central Intelligence, and the Director of the Office of Management and Budget. As set forth in paragraph (b) of this section, the Advisory Committee shall provide to the Human Radiation Interagency Working Group advice and recommendations on the ethical and scientific standards applicable to human radiation experiments carried out or sponsored by the United States Government. As used herein, "human radiation experiments" means:

- (1) experiments on individuals involving intentional exposure to ionizing radiation. This category does not include common and routine clinical practices, such as established diagnosis and treatment methods, involving incidental exposures to ionizing radiation;
- (2) experiments involving intentional environmental releases of radiation that (A) were designed to test human health effects of ionizing radiation; or (B) were designed to test the extent of human exposure to ionizing radiation.

Consistent with the provisions set forth in paragraph (b) of this section, the Advisory Committee shall also provide advice, information, and recommendations on the following experiments:

more

(OVER)

- (1) the experiment into the atmospheric diffusion of radioactive gases and test of detectability, commonly referred to as "the Green Run test," by the former Atomic Energy Commission (AEC) and the Air Force in December 1949 at the Hanford Reservation in Richland, Washington;
- (2) two radiation warfare field experiments conducted at the AEC's Oak Ridge office in 1948 involving gamma radiation released from non-bomb point sources at or near ground level;
- (3) six tests conducted during 1949-1952 of radiation warfare ballistic dispersal devices containing radioactive agents at the U.S. Army's Dugway, Utah, site;
- (4) four atmospheric radiation-tracking tests in 1950 at Los Alamos, New Mexico; and
- (5) any other similar experiment that may later be identified by the Human Radiation Interagency Working Group.

The Advisory Committee shall review experiments conducted from 1944 to May 30, 1974. Human radiation experiments undertaken after May 30, 1974, the date of issuance of the Department of Health, Education, and Welfare ("DHEW") Regulations for the Protection of Human Subjects (45 C.F.R. 46), may be sampled to determine whether further inquiry into experiments is warranted. Further inquiry into experiments conducted after May 30, 1974, may be pursued if the Advisory Committee determines, with the concurrence of the Human Radiation Interagency Working Group, that such inquiry is warranted.

(b)(1) The Advisory Committee shall determine the ethical and scientific standards and criteria by which it shall evaluate human radiation experiments, as set forth in paragraph (a) of this section. The Advisory Committee shall consider whether (A) there was a clear medical or scientific purpose for the experiments; (B) appropriate medical follow-up was conducted; and (C) the experiments' design and administration adequately met the ethical and scientific standards, including standards of informed consent, that prevailed at the time of the experiments and that exist today.

(2) The Advisory Committee shall evaluate the extent to which human radiation experiments were consistent with applicable ethical and scientific standards as determined by the Committee pursuant to paragraph (b)(1) of this section. If deemed necessary for such an assessment, the Committee may carry out a detailed review of experiments and associated records to the extent permitted by law.

(3) If required to protect the health of individuals who were subjects of a human radiation experiment, or their descendants, the Advisory Committee may recommend to the Human Radiation Interagency Working Group that an agency notify particular subjects of an experiment, or their descendants, of any potential health risk or the need for medical follow-up.

(4) The Advisory Committee may recommend further policies, as needed, to ensure compliance with recommended ethical and scientific standards for human radiation experiments.

(5) The Advisory Committee may carry out such additional functions as the Human Radiation Interagency Working Group may from time to time request.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Committee with such information as it may require for purposes of carrying out its functions.

(b) Members of the Advisory Committee shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Energy shall provide the Advisory Committee with such funds as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Committee, except that of reporting annually to the Congress, shall be performed by the Human Radiation Interagency Working Group, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) The Advisory Committee shall terminate 30 days after submitting its final report to the Human Radiation Interagency Working Group.

(c) This order is intended only to improve the internal management of the executive branch and it is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
January 15, 1994.



Defense Nuclear Agency
6801 Telegraph Road
Alexandria, Virginia 22310-3398

APR 26 1994

MEMORANDUM FOR ASSISTANT TO THE SECRETARY OF DEFENSE
(ATOMIC ENERGY)

SUBJECT: DoD Response to Rep. George Miller Request on Marshall
Islands Nuclear Testing Documentation

On 15 December 1993, Rep. George Miller, Chairman of the House Committee on Natural Resources, wrote to Secretary Aspin, requesting that the Department provide the committee copies of documents related to nuclear testing in the Marshall Islands. A copy of this letter is at Enclosure (1).

Defense Nuclear Agency (DNA) responded on 2 February 1994 on behalf of Secretary Aspin with the letter at Enclosure (2). As thousands of such documents exist in the DOE Coordination and Information Center in Las Vegas, Nevada, my response focused on the BRAVO and CASTLE test series which seemed of greatest interest to Chairman Miller. Two documents were provided to the committee and the offer made to work with the Committee in identifying others of interest. The letter also informed the Chairman that no documents related to the negotiation of the Compact of Free Association were found in DNA's document review. Last, a point of contact was provided for further assistance to the Committee.

Chairman Miller contacted Secretary Perry on 11 March, expressing dissatisfaction with DNA's response. A copy is attached as Enclosure (3). In particular, Chairman Miller requested that greater access to documents be granted and that all currently classified information regarding fallout prediction, occurrence, and health effects on the inhabitants of the Marshall Islands, including US military and civilian personnel, be promptly declassified.

Subsequent conversation with Chairman Miller's staff revealed that the Committee would like to see the Coordination and Information Center (managed by DOE in Las Vegas) as the central repository for nuclear testing information, identified as the central records location for documents related to testing in the Marshall Islands. Chairman Miller believes it essential that the citizens of the Marshall Islands have full access to all such records at one location. In addition, he requested that DNA provide a summary of where the records search was conducted and which documents were located.

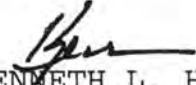
DNA has conducted a review of all documents under our control. Most have been declassified or sanitized; six documents, identified as classified, are currently undergoing DNA review prior to coordination with the services.

DNA, as the Executive Agent for the Nuclear Test Personnel Review (NTPR) program, holds records and documents pertaining to Department of Defense (DoD) participants involved in U.S. atmospheric nuclear tests and in the post-war occupation of Hiroshima and Nagasaki. We maintain no information on radiation exposure for people not directly involved in the conduct of these program. The data in DNA holdings do contain information on the fallout that descended on the Marshall Islands, but the only data that we would retain that would be useful in determining the radiation exposure of the Marshallese are data that also apply to DoD test participants. DOE is responsible for compiling information on the radiation exposure of the Marshallese.

DOE is in the process of complying with the Chairman's request, and DNA is coordinating our efforts with them. Copies of DNA's documents not already held by DOE repositories will be made available to both the Committee and the Coordination and Information Center. As part of this effort, DNA will identify for the Committee those DNA documents which it has confirmed DOE already possesses. A second listing of any DNA documents which should remain classified will be provided to the Committee along with an explanation of the requirement for continued classification. The Committee staff indicated that this approach would be acceptable.

However, Chairman Miller requests that the Secretary task the Services to conduct a similar review and coordination process. Furthermore, he requested that the Secretary reply in writing to his last letter.

Accordingly, I forward for your review and further action, Enclosure (4) which provides an Executive Summary for Secretary Perry, a draft reply from the Secretary to Chairman Miller, and a tasking letter from the Secretary to the Services, with ATSD(AE) identified as the DoD focal point.


KENNETH L. HAGEMANN
Major General, USAF
Director

4 Enclosures
as stated

GEORGE MILLER, CALIFORNIA, CHAIRMAN
PHILIP R. SHARP, INDIANA
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U.S. House of Representatives
Committee on
Natural Resources
Washington, DC 20515-6201

DON YOUNG, ALASKA
RANKING REPUBLICAN MEMBER
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RICHARD W. POMBO, CALIFORNIA
JAY DICKEY, ARKANSAS

December 15, 1993

JOHN LAWRENCE
STAFF DIRECTOR
RICHARD MELTZER
GENERAL COUNSEL
DANIEL VAL KISH
REPUBLICAN STAFF DIRECTOR

The Honorable Les Aspin
Secretary of Defense
United States Department of Defense
The Pentagon
Washington, D.C. 20330-1000

Dear Mr. Secretary:

In May 1993, I announced that the Committee would be reviewing a number of matters related to the U.S. nuclear weapons testing program, including the health and environmental effects of those tests on the people of the Marshall Islands. As you know, the federal government conducted 66 atmospheric tests in the Marshall Islands between 1946 and 1958 from bases on Bikini and Enewetak Atolls.

While any or all of those tests may have exposed the Marshallese to radiation, the Bravo test conducted March 1, 1954 on Bikini Atoll is of particular concern to the Committee. Bravo, the second U.S. test of a thermonuclear device, resulted in a yield of approximately 15 megatons, far greater than any prior test and far greater than had been anticipated. Department of Energy records reveal that the radioactive cloud from the test reached an altitude of 100,000 feet, where the prevailing winds blew heavy radioactive fallout over a wide area east and south of Bikini.

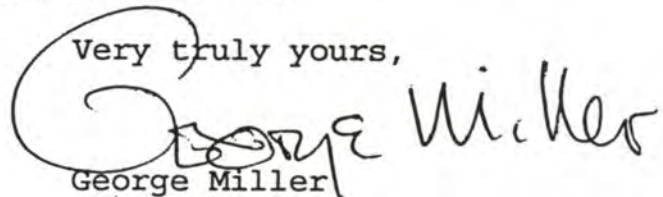
Although sometimes contradictory, DOE documents have generally concluded that Bravo fallout contaminated only two inhabited northern atolls, Rongelap and Utirik. However, other information the Committee has received suggests that the fallout may have reached other inhabited areas. If accurate, the implications of this information could be very serious. There may be many more Marshallese who were directly exposed to radioactive fallout than have been included in the DOE's medical monitoring program or in the health care program conducted under section 177 of the Compact of Free Association. In addition, long-lived radioactive isotopes from the nuclear fallout may still be present on inhabited and food-producing islands and atolls which have not been included in the DOE's environmental evaluation program.

Honorable Les Aspin
December 15, 1993
Page 2

I have asked DOE to provide me with documents relating to the effects of the U.S. nuclear testing in the Pacific. I have also asked the State Department to provide me with certain documents regarding the negotiation of the Compact of Free Association between the United States and the Republic of the Marshall Islands, which may shed light on these health and environmental matters. I have been informed that some of these and perhaps other documents regarding the effects of the Pacific testing are in DOD's possession and control. If so, I would appreciate your providing those documents to the Committee on or before January 31, 1994.

I look forward to working with you on this important health and environmental matter. Please feel free to contact me or Linda Chase of the Committee staff at 226-0200.

Very truly yours,



George Miller
Chairman

GM:ljc



Defense Nuclear Agency
6801 Telegraph Road
Alexandria, Virginia 22310-3398

FEB 2 1994

Honorable George Miller
Chairman, Committee on Natural Resources
House of Representatives
Washington, D.C. 20515-6201

Dear Mr. Chairman:

This is in response to your inquiry to Secretary Aspin of December 15, 1993, concerning the health and environmental effects on the people of the Marshall Islands as a result of the U.S. nuclear weapons testing program, particularly the BRAVO test which was conducted on March 1, 1954, at Bikini. There are thousands of documents on the effects of the testing in the Pacific Proving Ground. Therefore, our response focuses on the specific issue about which you are concerned, i.e., whether the fallout from BRAVO affected inhabitants other than the people of Rongelap and Utirik. In addition, you requested documents pertaining to the negotiations of the Compact of Free Association between the United States and the Republic of the Marshall Islands which may shed light on the health and environmental effects of the tests be provided.

We have found no information or documentation suggesting that any Marshallese other than the people of Rongelap and Utirik were affected by the BRAVO test. To ensure that there is no confusion, you should be aware that at the time of the test 18 of the Rongelap people were fishing on Ailinginae Atoll, which was usually unpopulated. This is not new information and has been reported in the literature pertaining to the test.

For your information, a copy of a report on the CASTLE test series is provided. BRAVO was a part of the CASTLE series and is detailed at Chapter 4. This report was prepared as part of the Nuclear Test Personnel Review program to document the participation of Department of Defense personnel who were active in this test series. You will note that Chapter 4 contains numerous references. We are in the process of determining the status of their availability and in the course of doing so have found that they are quite voluminous. If there are any that you think would be helpful, please let us know and we will arrange for their review by you or your staff. Ms. Denise Contento may be contacted at (703) 325-7681 for assistance in this matter. In addition, we are forwarding two other reports, "Radiological Surveys of Several Marshall Island Atolls" dated 18 March 1954 and "Personnel Overexposures Post Bravo" dated 28 April 1954, which are particularly relevant to your inquiry.

A review of our files did not reveal any documents regarding the negotiation of the Compact of Free Association which might shed light on the health and environmental issues you are addressing. We did find documents which set forth the recommendations of the Departments of Defense, Interior, and Energy regarding the negotiating position of the United States with respect to the Compact of Free Association. However, the recommendations focused upon the disposition of claims and not the underlying cause for the claims.

I trust the information provided will be helpful. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,


KENNETH L. HAGEMANN
Major General, USAF
Director

Enclosures
as stated

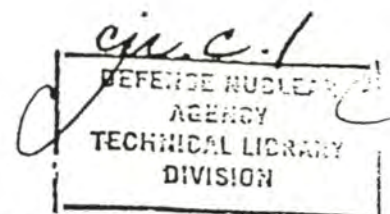
CASTLE SERIES

1954



United States Atmospheric Nuclear Weapons Tests Nuclear Test Personnel Review

Prepared by the Defense Nuclear Agency as Executive Agency
for the Department of Defense



13 JUN 1983

RADIOLOGICAL SURVEYS OF SEVERAL MARSHALL ISLAND ATOLLS

18 March 1954

Joint Task Force Seven

//

DTZ-83,0620

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DEFENCE NUCLEAR
AGENCY
TECHNICAL LIBRARY
DIVISION
13 JUN 1983

PERSONNEL OVEREXPOSURES POST BRAVO

28 April 1954

Task Group 7.4, Provisional

DTI-83, 0621

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U.S. House of Representatives

Committee on Natural Resources

Washington, DC 20515-6201

OFFICE OF THE
SECRETARY OF DEFENSE
94 MAR 14 PM 3:55

DON YOUNG, ALASKA
RANKING REPUBLICAN MEMBER
JAMES V. HANSEN, UTAH
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JAY DICKEY, ARKANSAS

March 11, 1994

JOHN LAWRENCE
STAFF DIRECTOR
RICHARD MELTZER
GENERAL COUNSEL
DANIEL VAL KISH
REPUBLICAN STAFF DIRECTOR

The Honorable William J. Perry
Secretary of Defense
United States Department of Defense
The Pentagon
Washington, D.C. 20330-1000

Dear Mr. Secretary:

By letter of December 15, 1993 to former Secretary Les Aspin, I requested the Department of Defense to provide me with documents in its possession or control relating to U.S. nuclear weapons testing in the Marshall Islands. The response dated February 2, 1994, which I received from the Defense Nuclear Agency enclosing only two documents, is not adequate.

In part, there appears to have been a misunderstanding of my request. In addition, information obtained by the Committee since my December letter requires that we be given access to additional information.

The Committee's review of the U.S. nuclear weapons testing program in the Marshall Islands was intended in part to consider evidence discovered in recent years which supports assertions that fallout from many of the nuclear tests was far more widespread than had been disclosed by the U.S. government and has resulted in a high incidence of radiation-related disease among Marshallese and Americans stationed in the Marshall Islands. The Committee is also considering evidence that the deposition of significant radioactive fallout in the inhabited Marshall Islands as a result of the March 1, 1954 Bravo shot may not have been accidental, but was either the result of negligence or was intended to promote studies of the biological effects of fallout in humans.

When the Administration formed its Human Radiation Inter-Agency Working Group, I requested that the Marshall Islands issues be included within the scope of the Working Group's review. My request was denied. However, I was assured that all classified documents regarding the Committee's review of U.S. testing in the Marshall Islands would promptly be considered for declassification. Secretary O'Leary has already begun that process with respect to

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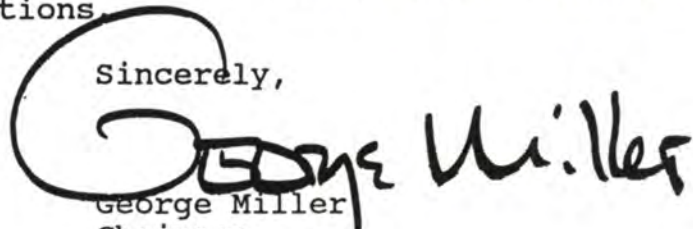
The Honorable William F. Perry
March 11, 1994
Page 2

documents within DOE's possession or control and has already produced hundreds of such documents to the Committee.

I request your assurance that all currently classified information regarding the prediction, occurrence, cause and effect of nuclear fallout, and the health effects of the nuclear testing program on the inhabitants of the Marshall Islands, including American military and civilian personnel stationed there, will promptly be declassified and produced. To the extent they are not declassified, please provide the Committee with an explanation. After 40 or more years, there no longer appears to be any legitimate national security interest which would justify keeping this information hidden from the Marshallese and American people.

I look forward to your response before March 31, 1994. Please feel free to call me or Linda Chase of the Committee staff at 226-0200 if you have any questions.

Sincerely,


George Miller
Chairman

GM:ljc

EXECUTIVE SUMMARY / COVER BRIEF

MEMORANDUM FOR SECRETARY OF DEFENSE

THROUGH: DEPUTY SECRETARY OF DEFENSE

FROM: PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE
(ACQUISITION AND TECHNOLOGY)

SUBJECT: Nuclear Testing in the Marshall Islands

PURPOSE: ACTION -- to obtain SecDef approval for DoD response to the request from House Committee on Natural Resources for greater access to documentation on nuclear testing in the Marshall Islands.

DISCUSSION: Chairman George Miller, Chairman of the House Committee on Natural Resources has requested that DoD declassify and make available all documents related to nuclear testing in the Marshall Islands and the negotiation of the Compact of Free Association. (Enclosure 1) He is particularly interested in whether adequate precautions were made to protect the Marshallese population. To ensure public access to this information, Chairman Miller has requested that DoE identify the Coordination and Information Center in Las Vegas as the central repository for all such documents. In the event that a document must remain classified, the Committee would like an explanation.

DNA is responding directly to the Chairman's request by reviewing all documents under its control and forwarding declassified copies to the Committee. This effort is being coordinated with DoE to avoid any duplication. However, the Chairman would like the military services to conduct a similar, coordinated review. Lastly, staff conversation has confirmed that the Chairman wants a written reply from you, presenting the Department's response.

RECOMMENDATION: That you sign the attached reply to Chairman Miller and tasking letters to the services.

COORDINATION: OSD(LA) _____ OSD General Counsel _____

SECDEF DECISION

_____ Approved
_____ Disapproved
_____ Other: _____

Prepared by:

Approved by:

Honorable George Miller
Chairman, Committee on Natural Resources
House of Representatives
Washington, D.C. 20515-6201

Dear Mr. Chairman:

This is in reply to your letter of 11 March 1994 regarding the declassification and provision of documents related to nuclear testing in the Marshall Islands and the negotiation of the Compact of Free Association. I regret any previous confusion and believe that the Department has a plan responsive to your needs and in keeping with the Administration's policy of openness on nuclear testing.

It is my understanding that the Defense Nuclear Agency (DNA) has been in contact with your staff, is in the process of completing its review and declassification of documents, and will soon be providing copies to the Committee as well as the Coordination and Information Center (CIC) in Las Vegas. This effort is being coordinated with the Department of Energy.

The services have been directed to conduct a similar review and provide their documents to the Committee through Dr. Harold Smith, Assistant to the Secretary of Defense (Atomic Energy). This effort should be completed by 1 July 1994.

The Committee will be informed of the locations at which records searches are made.

Should continued classification of a document be warranted, the Committee will be informed and provided an explanation.

I hope that this is fully responsive to your needs.

Sincerely,

William Perry

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
ASSISTANT TO THE SECRETARY OF DEFENSE
(ATOMIC ENERGY)
DIRECTOR, DEFENSE NUCLEAR AGENCY

SUBJECT: Nuclear Testing in the Marshall Islands

Representative George Miller, Chairman, Committee on Natural Resources, has requested that the Department declassify and make available to the Committee all documents related to nuclear testing in the Marshall Islands and the negotiation of the Compact of Free Association. I have appointed Dr. Harold P. Smith, Assistant to the Secretary of Defense (Atomic Energy), as the DoD-wide focal point for this effort, which is to be completed by 1 July 1994. The ATSD(AE) will provide a point of contact for you.

This effort is to include the following:

- a search to identify all documents related to nuclear testing in the Marshall Islands; a listing of where the search was conducted is to be provided to ATSD(AE)
- declassification review; in the event a document should not be declassified, an explanation is to be provided to ATSD(AE) for transmittal to the Committee
- copies of all pertinent documents are to be provided to ATSD(AE) for further review and transmittal to the Committee.

The ATSD(AE) will coordinate the DoD-wide list of documents with those also in the possession of the Department of Energy. The Committee is to be informed of but not provided copies of documents held by DoD which are also in the possession of DoE and previously made available to the committee.

Inquiries regarding this matter should be directed to:

This matter shall be given prompt and thorough attention.

GEORGE MILLER, CALIFORNIA, CHAIRMAN
PHILIP R. SHAFER, INDIANA
EDWARD J. MARKEY, MASSACHUSETTS
AJSTIN J. MURPHY, PENNSYLVANIA
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U.S. House of Representatives

Committee on Natural Resources

Washington, DC 20515-6201
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March 11, 1994

JOHN LAWRENCE
STAFF DIRECTOR
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DANIEL VAL KISH
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Secretary of Defense
United States Department of Defense
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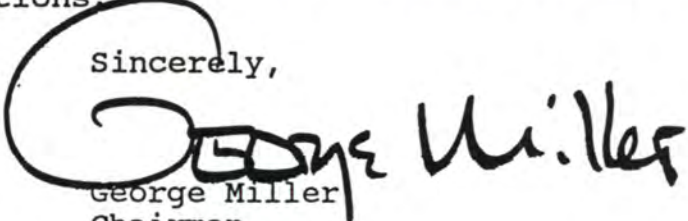
The Honorable William F. Perry
March 11, 1994
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Sincerely,


George Miller
Chairman

GM:ljc