

DOD

- Defense Nuclear Agency has stonewalled
- not even list of intended release
- that the same risk turned to do by laboratory
- Office of Secretary of Defense didn't respond
- Any no one on staff

• Outrage - DOD has not responded to itself

| • Adv Center

- Basic problems

- haven't put manpower

- need more manpower

- timetables

- manpower

- V/A Response

recolour this on getting letter

- starty at space one

Cante pleased Richard Pell
pleased

- timetable & actual delivery

- improve & keepy timetables

provide today

TO: D Myers
FR: G Terzano
RE: Dept of Energy Tissue Bank
DA: Tuesday, February 1, 1994

The following is general information regarding Los Alamos and radiation studies.

During the Department of Energy's normal course of searching for records on human radiation experiments, DOE officials in Washington have been informed that body parts of individuals have been kept in freezers as part of a study on radiological exposure.

These body parts are all internal organs. DOE will now refer to the "parts" as the Tissue Bank.

Background of Radiological Tests

The radiological tests were conducted as part of autopsies on Los Alamos workers. The families of the workers consented to tests (but there was never an indication that the parts would be stored and frozen for years afterwards).

The purpose of the tests were part of a health study on workers; to see how much radiation the body absorbed, how long it took for the body to get rid of it, what tissue damage was incurred due to radiation exposure.

The Tissue Bank contains partial organs such as half a lung, pieces of liver, brain tissue, parts of bones.

DOE's field office in Albuquerque has known about the Tissue Bank since the studies began. In DOE's effort (Washington office) to search for records, they came across this information through the field office.

Release of Information

Mike Gauldin wants to downplay the story. He thinks the story is heightened because the human radiation testing issue is so newsworthy. DOE's strategy for making the announcement on Los Alamos is as follows:

- Make announcement outside of Washington. Albuquerque field office will brief reporters on Monday, February 7. (Reminder: this is budget day which is Gauldin's intention).
- Gauldin will hand-pick a national print reporter and also give story to him/her.
- Release old news stories written about the studies.

*valing back in Albuquerque - NYT reporter
BOA report*

*Keith
Schneider
doesn't
find it
shaky*

*60 min
Gerald*

lausert filed



Department of Energy
Washington, DC 20585

OFFICE OF PUBLIC AFFAIRS, PA-1

Facimile Machine Number
202/586-9987

Verification Number
202/586-4940

DATE: 2/4

TO: Phil Kaplan

Fax Number _____

Verification Number _____

FROM: Gauldin

*This transmittal consists of 6 page(s) excluding this cover sheet.

ROUGH DRAFT

The Los Alamos Human Tissue Analysis Project

Introduction

Los Alamos National Laboratory serves as the human tissue analysis laboratory for the U. S. Transuranium Registry and the U. S. Uranium Registry. These Registries were established by Department of Energy predecessors to organize and maintain a registry of nuclear industry workers to evaluate health and safety concerns. The Registry solicits consent to collect medical and exposure histories and the donation of tissues after death for the measurement of actinide content.

Prior to establishment of the Registries, Los Alamos analyzed tissues from Laboratory workers who may have been occupationally exposed to radioactive materials to evaluate the validity of the Laboratory's program for estimating worker exposure using urinalysis and whole body counting, the primary measurement methods. This tissue analysis began in 1959.

Tissue specimens from the general public were also studied at Los Alamos, starting in 1959. These studies were to determine the levels of plutonium in the tissues of the general population. This plutonium would have resulted from fallout from global above-ground nuclear tests.

Purpose of the Studies

The studies were intended to help develop and evaluate current, proposed, and/or new, more appropriate, regulatory standards for workers in the nuclear industry. The study also helped develop and verify models needed to estimate organ doses from plutonium to better protect workers.

Los Alamos has analyzed specimens from 1,520 persons from 27 states, yielding 13, 857 separate measurements. These numbers include both occupationally exposed workers and the general population. The tissues and analytical solutions are stored in freezers at Los Alamos. They are stored for possible future study or for verification of earlier results. Every effort is made to preserve the specimens. However, samples from 602 individuals were damaged in a freezer accident and were disposed of according to current standard medical incinerator practices.

Results of the human tissue studies have been published in the open, scientific literature. A bibliography is attached.

The Occupationally Exposed Worker Study

This study began in 1959, following a criticality accident resulting in the death of a Los Alamos Scientific Laboratory employee, with the collection of autopsy samples at the Los Alamos Medical Center (LAMC). Authorization was given by the worker's spouse. Radiochemical analyses of these tissues were used to estimate the plutonium content in this individual's body. These data were compared to previous estimates made during the worker's lifetime using urinalysis and whole body counting techniques.

ROUGH DRAFT

Procedures for Obtaining Worker Tissue Samples

From 1959 to 1978, selected tissues from all former Los Alamos employees who were autopsied at LAMC were collected under the provisions of the hospital's autopsy consent form. This is a permission form used by all hospitals. Permission forms vary but allow the pathologist to remove and retain or use for diagnostic, scientific, or therapeutic purposes tissues and parts as judged to be proper by the attending physician or pathologist. The purpose of collecting the tissues was to evaluate the effectiveness of the Laboratory's ability to physically protect workers from overexposure to radioactivity (plutonium) and, if exposure had occurred, to accurately estimate the workers' internal deposition of plutonium using appropriate bioassay procedures.

AEC Establishes U. S. Tissue Analysis Program

In 1968 the Atomic Energy Commission established a Plutonium Registry (now the U. S. Transuranium Registry) and, in 1978, the U. S. Uranium Registry to organize and maintain a registry of nuclear industry workers to evaluate health and safety concerns. The Registry solicits consent to collect medical and exposure histories and the donation of tissues after death for the measurement of actinide content.

Tissues from Registry donors were analyzed for plutonium at laboratories located at the Battelle Northwest Pacific Laboratory, Richland WA; the Rocky Flats Facility, Golden, CO; and at Los Alamos.

All participants in the U. S. Transuranium Registry and the U. S. Uranium Registry have on file with the Registry informed consent documents, signed by the donor, next of kin (usually the spouse) and a witness. Therefore, all human tissues analyzed at Los Alamos for the Registries have consent forms authorizing the analyses.

Some Los Alamos workers with known or suspected exposures to plutonium became volunteer registrants. Permission was given by the worker (and the next of kin) for the Registry to obtain their medical and work histories (including exposure records) and to collect tissue/organ samples following their death. At that time, an occupationally exposed worker was defined as anyone for whom an exposure was suspected and a urine sample collected and analyzed. Tissues of these Los Alamos volunteers to the Registry were analyzed at Los Alamos; therefore, some of the workers whose tissues were taken at LAMC were participants in the Registry and had signed informed consent forms permitting the collection of their tissues.

Los Alamos Becomes the Lead Human Tissue Laboratory

In 1978 the Energy Research and Development Administration directed Los Alamos to become the lead laboratory for tissue analysis for the U. S. Transuranium Registry, because the Battelle laboratory was closed for budgetary reasons. In about 1985, the Rocky Flats laboratory was closed due to lack of laboratory space and we assumed the analysis of Rocky Flats worker tissues. Also, in 1980, Los Alamos was asked to perform all the analyses for the U.S. Uranium Registry.

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In several instances, Los Alamos as the lead laboratory and/or one of the Registries have been contacted by the next of kin after a worker that was not a registrant had died. Usually it was stated that the worker had expressed an interest in participating in one of the Registries but had not completed the required forms. If it was determined that the deceased had a documented exposure and if the surviving next of kin authorized the signed the consent forms, the medical and work histories and tissues were accepted.

Occasionally, we have been requested by a coroner, the performance of his duty to determine the cause of death, to analyze tissues to assist him in determining if exposure to plutonium or one of the other actinides (americium, uranium, or thorium) may have been sufficient to have resulted in or contributed to the death.

On at least two occasions, we were requested by the Department of Energy and the courts to exhume bodies and participate in the analyses of tissues, along with other laboratories, to determine the magnitude of alleged exposures to actinides. Litigation claimed the worker's exposure to plutonium resulted in cancer and was responsible for the person's death.

Registry Expands Project Scope

In 1979, the Transuranium Registry initiated a program to solicit the donation of entire bodies from persons with well-documented significant exposures to the actinide element for analysis. The entire body would provide data on skeletal distribution and retention that would enable us to realistically extrapolate data from single bones. It was previously known, and confirmed by our tissue studies, that plutonium is not uniformly distributed in bone, but rather, deposits on bone surfaces. Therefore, spongy bone, which has more bone surface than mineral bone, has a higher concentration of deposited plutonium. To date, we have analyzed 11 whole bodies and we believe the Registry has two more bodies stored at the recently established National Human Radiobiology Tissue Repository in Spokane, Washington.

What Has Been Learned from the Occupational Worker Study

The human tissue studies have yielded data useful for the development of regulations and standards for the protection of workers in the nuclear industry and the general population. Some examples follow.

Early models for estimation of whole body depositions of plutonium based upon urinalysis, were highly inaccurate. They tended to overestimate depositions by factors of 10 to 15 or more. Tissue analysis data has contributed to improved models that now predict exposure deposition generally within factors of 1.5 to 2.

The tissue studies have documented the retention and distribution patterns of the actinide elements in tissues and organs of occupationally exposed workers. These data are critical for realistic dose estimates to these organs.

The studies have provided data on the retention of plutonium in lungs of workers. Residence time in the lungs has been determined to be much longer than predicted by early computational models.

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ROUGH DRAFT

ROUGH DRAFT

We now know how plutonium and americium are deposited differently in various bones and between bone and bone marrow. These data are important for reasonable dose estimates and evaluation of their potential contribution for producing related cancers.

Data from the deposition of plutonium, americium, and uranium in the respiratory tract have been used to evaluate the effect of smoking habits on retention of these elements in the body.

Studies of The General Population

Los Alamos studies of tissues from the general population began in 1959 with the collection of autopsy specimens locally at the Los Alamos Medical Center (LAMC). Study results were originally used as controls to determine background levels of plutonium for comparison with results from analysis of tissues from occupationally exposed individuals.

Los Alamos also received tissues from 36 individuals having died in New York City in 1968. These tissues were sent to Los Alamos through the AEC's Health and Safety Laboratory (now the DOE Environmental Measurements Laboratory).

Study Expands Beyond Los Alamos

The study expanded into the Denver-Boulder areas at the request of Colorado Department of Health in 1970. The purpose was to evaluate the possible release of plutonium from the Rocky Flats Facility.

Samples were collected from the Augusta, Georgia-Aiken, South Carolina areas beginning in 1972 to evaluate the possible release of plutonium from the Savannah River Plant.

Illinois area residents were added to the study in 1973 and Pennsylvania area residents were added in 1974 as control groups, because all our other specimens were coming from areas near major nuclear facilities. The Los Alamos tissue project initiated collection of these new specimens.

According to Los Alamos records, autopsy specimens were collected from 1223 individuals from 27 states. Results from approximately 900 individuals (~4400 tissues) were reported publications #4 and # 7 in attached publications list.

Procedures for Obtaining General Population Tissue Samples

Los Alamos - From 1959 until the early 1980s—autopsy permit allowed pathologist to collect samples for "scientific study." No general population studies have been collected at Los Alamos since that time.

Colorado - contacts with hospitals were made by the Colorado State Department of Health. All specimens were sent to Los Alamos by the Colorado State Department of Health. Tissues were collected from 1970 through 1985. Near the

ROUGH DRAFT

end of study, pathologists in Boulder were sending tissues directly to Los Alamos.

Georgia-South Carolina - contact was made through the Medical Director at Savannah River Plant. Samples were collected from 1972 through 1979 and sent directly to Los Alamos from hospitals.

Illinois - contact made through an informal Laboratory contact with the pathology department at one hospital in Chicago. Samples were collected from 1973 through 1977 and sent directly to Los Alamos.

Pennsylvania - Los Alamos Human Tissues Project made contact with pathologists in Pittsburgh and Erie areas. We explained the scientific need for control data. Samples were collected from 1974 through 1985 and sent directly to Los Alamos.

Richland, Washington - all samples were collected by the U.S. Transuranium Registry from 1975 to 1977. Permission to collect tissues was similar to that used in the Los Alamos study. They (WHO???) did say that initially, the pathologists had them (WHO??) analyze tissues to see if any radioactivity was present that might have influenced their determination of the cause of death. It soon became obvious that this was not the case, but they (REGISTRY??) continued to collect tissues for the fallout study.

In all cases, to the best of our knowledge, pathologists were contacted, the scientific merits of the study were explained to them, and if they decided to participate, the clause in their autopsy permit form that permitted them to collect tissues for scientific research was exercised. Except for people who died at the Los Alamos Medical Center, individuals were not identified to us by name, only by hospital identification number or by autopsy number. Los Alamos relied upon the pathologists or their representatives to do whatever additional explaining they deemed necessary and appropriate. We believed that the standard autopsy clause was adequate. We did not follow up to determine if the next of kin were told specifically about our analyses of these tissues for plutonium.

Pathologists who provided Los Alamos with samples were generally reimbursed a small amount (\$25 to \$100) to cover their cost of collecting, individually packaging each tissue, freezing the tissues for storage and packing the tissues in dry ice and shipping to us. (We paid the shipping charges to have the tissues air-freighted to us).

What Has Been Learned from the General Population Study

Most importantly, the data showed that levels of plutonium in the U.S. general population are small and that populations living near major nuclear facilities were not significantly higher than those not living near such facilities. The analysis confirmed that major deposition sites of fallout plutonium were the respiratory tract, liver and bone. The deposition patterns and retention factors measured are critical in identifying the level of hazard to the general population.

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Current Status of Both Programs

Occupational Worker Study

During 1994, the entire tissue program is being relocated to Washington State University.

General Population Study

The sample load resulting from the Transuranium and Uranium Registries has been so large that we have not analyzed general population tissues since (WHEN???) (exception: a few specimens have been analyzed at various times over the years when the Registries sample load was low).

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Advisory Committee on Human Radiation Experiments

1726 M Street, N.W.
Suite 600
Washington, DC 20036

July 15, 1994

VIA FACSIMILE

Mr. Harold Gracey
Chief of Staff
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Dear Mr. Gracey:

This letter focuses on key milestones in the progress of the Department of Veterans Affairs regarding its involvement in human ionizing radiation, and requests specific action by VA prior to the Advisory Committee's next meeting, which begins on July 25th. A request for particular documents and files will follow under separate cover.

First, despite Secretary Brown's commitment, and the Advisory Committee's and the public's need, to learn more about the creation, the purpose and the work of the Atomic Medicine Division, we have received only three historical documents about this branch of VA, at least two of which were identified at the beginning of the year. As we have discussed, there are many places to seek relevant materials (e.g., VA records at the Federal Records Center in Suitland might well contain materials on this subject, such as the Administrator's and/or General Hawley's correspondence files). Moreover, we are not aware of any other ongoing plan otherwise to get to the bottom of this matter and fulfill the Secretary's commitment. We would like VA to delineate for us its strategy for location and retrieval of the documentation sought by the Secretary.

Second, VA's retrieval of its basic historic records (i.e., at the Federal Records Center and National Archives) has only recently begun; VA may not fully appreciate the richness of its files as a source of information. To our knowledge, Under Secretary Farrar's June 15 letter to NARA represents VA's first attempt even to identify, much less retrieve, relevant materials at these important repositories. The attached June 28 memorandum from Dr. Susan Mather suggests that VA's retrieval of documents from the FRC has just begun, in response to our identification of files, including those with titles that should have been identified long ago (e.g., radioisotope research). VA's records management staff apparently has not been actively involved in this process. The first files to be reviewed by Dr. Mather's office were from a list of twelve accessions identified by Advisory Committee staff. Although our staff stated that the collections we identified represented merely a sample of potentially relevant FRC materials and that VA must



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Letter to Mr. Gracey
July 15, 1994

engage in further identification, VA has yet to complete this part of the search. We understand that a computerized listing of all VA files at the FRC was requested by Under Secretary Farrar on June 15th, and welcome assurance that VA will carefully and extensively review these materials. Advisory Committee staff is, of course, more than willing to work with your staff in such review.

Third, it is our understanding that, although VA has no historian on staff, Dr. Marguerite Hays of the Palo Alto VA Medical Center is writing a history of VA's biomedical research as part of her job responsibilities, and that this history includes a chapter on radioisotope research. As we previously discussed, our staff has for some time been seeking this material. We would like a copy of that history (including sources). Of course, as we have told your staff, we are prepared to protect privacy and other rights relevant to this material, as is appropriate.

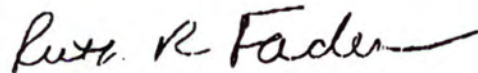
Fourth, we would appreciate your designation of one person on your staff who can identify the appropriate VA staff to respond to all Advisory Committee requests, and who will take responsibility for organizing responses to such requests. We note that there remains some confusion among your staff regarding the scope of Advisory Committee requests. Our requests for documentation are seeking more than merely a contemporary interpretation of past events. For example, in response to our written request for additional documentation about the establishment, purpose and utilization of the Omaha nuclear reactor, Dr. Neil Otchin sent us the attached half-page memorandum which states that the reactor was not involved in human experimentation. While this may have been the case, the Committee's requests require the kind of documented response (i.e., by provision of historic documents) upon which the American public can rely.

In order to address these matters, we would like to meet at your earliest convenience, prior to the July 25 Advisory Committee meeting. We would appreciate receiving no later than that meeting (1) documents and dates explaining the operation of the Atomic Medicine Division, or at least a plan for identification and retrieval of the documentation which will furnish the explanation Secretary Brown has sought, (2) any history of VA medical or radiation research produced by a VA employee (other than the brief 1994 synopses already sent), (3) a copy of all Radioisotope Committee and Radiation Safety Committee minutes (with patient names redacted) in the notebook referred to by the Birmingham VAMC in its survey response, and (4) a sample of research protocols from Ann Arbor, MI, Hines, IL, Houston, TX, and San Francisco, CA (all of these field facilities indicated in their survey responses that they possessed relevant protocols). We would like to leave this meeting with your plan for location and retrieval of historic Central Office documents at the FRC and National Archives, with the name of a VA staff member who will coordinate VA's responses to our requests, and having determined how VA and Advisory Committee staff can best work together on this undertaking. As VA and the Committee review VA's historic Central Office records, we expect that we both will be better able to identify field sites which can then be focused on.

Letter to Mr. Gracey
July 15, 1994

We look forward to working with you closely in the busy months ahead.

Sincerely,



Ruth R. Faden, Ph.D., M.P.H.
Chair



Dan Guttman
Executive Director-Designate

Attachments

**Department of
Veterans Affairs**

Memorandum

Date: 28 June 1994

VIA FACSIMILE

From: Susan Mather

Subject: Fax of potentially relevant VA files at the Federal Records Center in Suitland

To: Dan Guttman

Thank you for the fax which we received at 5:15 pm today. While I came in to work this morning fully prepared to spend the afternoon in Suitland, this turned out not to be possible because the necessary arrangements could not be worked out in a timely manner. When we finished our discussions with you and your staff last evening, we were unsure of the procedures which would need to be followed in order to access VA records. We weren't even sure where the facility was within the Suitland Federal Center and the only help your staff could provide was "Look in the blue pages," which we did.

We discovered that the Washington National Records Center has no telephone number listed but access was through the National Archives. In contacting them, we learned that a request for me or a member of my staff to access the files could only be made through the designated VA records officer, Bernard Dickens. From Mr. Dickens, we learned that a form 11 must be filled and submitted to the Request Center providing accession number, location number and box number for the relevant files. Twenty four hours after the request is received, files may be read in the National Archives Reading Room. However, we can have certain files delivered to VA by VA courier. We have decided to do this and will be reviewing selected boxes later this week if possible. We will try to maintain careful records of our review.

I did want to clear up an apparent misunderstanding following last evening's telephone call. I do not have the authority to grant Denise Holmes and Jim access to VA files. This will have to be worked out through Harold Gracey's office. I will not be able to make a recommendation on this issue until I have a better idea about what is in the files. However, we will document the search and provide you with all copies of documents which we identify as relevant.

Susan Mather
SUSAN MATHER

cc Harold Gracey

Post-It Fax Note 7071		Date	18 June 94	
To	Dan Guttman		From	Susan Mather
Co./Dept.	ACHRE		Co.	VA
Phone #	254-9795		Phone #	535-7182
Fax #	254-9827		Fax #	535-7252

VA FORM
MAY 1993 2108

0/41/84 00:41 1702 000 7072
00/11/84 00:40 1702 000 0004

Department of
Veterans Affairs

VACU 1702 000 0004 1702
01002/002

Memorandum

Date: June 16, 1994

From: Program Director, Nuclear Medicine Service (111E)

Subject: Re: Nuclear Reactor, Omaha, VAMC

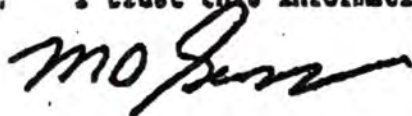
To: Neil Ochin, M.D. (116)

1. Per your telephone inquiry of June 15, 1994 the nuclear reactor at Omaha VAMC has never been used to irradiate humans.

2. This reactor bombards a substance with neutrons making it radioactive. It is primarily used on chemical specimens, currently silver and body fluids to provide information similar to that obtained in chemical analysis.

3. The reactor, the only one in the VA system and the only hospital based reactor in the world, is very small compared to other reactors, in operation at Argon Laboratory Chicago, IL or Brookhaven, Buffalo, NY.

4. I trust this information adequately addresses your query.



M.D. GROSS, M.D.

P.O. (111)



ADVISORY COMMITTEE ON HUMAN RADIATION EXPERIMENTS

1726 M STREET, N.W., SUITE 600
WASHINGTON, D.C. 20036

Dr. Gordon Soper
Principal Deputy to the Assistant Secretary of Defense for Atomic Energy
Department of Defense
The Pentagon Room 3E1074
Washington, D.C. 20301-3050

July 11, 1994

Dear Gordon:

As discussed with you and Colonel Bailey on July 8, this letter is to summarize our understanding of the state of DOD responses to Advisory Committee document requests, and to identify goals and expectations for the immediate and near term. The Committee appreciates the efforts to date. However, as you know, the time frame for the Committee's work requires considerable expedition.

Phase I DOD Search

The January directive required DOD to search for and identify experiments (including intentional releases), and to identify the location of related documentation. The Defense Nuclear Agency (DNA) did not search for intentional releases, and did not survey significant records collections in search of data. To our knowledge, DNA has not yet complied with the January directive. The Army identified about 30 experiments in February, but now reports that it conducted hundreds of further experiments. However, the Army has evidently not yet provided the DOD Radiation Experiment Command Center, or the Committee, with the requisite listing, and further data, on these experiments. The Office of the Secretary of Defense (OSD) did not respond to the January search request, although OSD possesses much documentation of relevance and interest.

Outstanding Committee Action Items

Following discussion, we transmitted requests ("action items") to you on May 23 and June 22. Following discussions with DNA and the Army, we transmitted action items to them on June 8 and June 15. In addition, we have been engaged in discussions with the Navy and Air Force, regarding their searches.



As detailed in the attachment, significant parts of the May 23 request are outstanding. The bulk of the priority items identified in the June 22 request have not been provided; DNA has, in essence, provided little or no data to date from its important records collections;¹ the Army has provided some important data (on Dugway intentional releases and the development of its ethics policy) but has provided limited further responses; DOD has agreed to respond expeditiously to declassification requests, but has not declassified any documents from the collection(s) designated as test cases for priority declassification. While the Navy and Air Force have provided limited Headquarters related documentation, we understand that they are searching for such materials and hope to obtain the fruits of their efforts shortly.

Search Strategy

As discussed previously, following the Phase I identification of experiments, we turned in this phase to, 1) the identification of Headquarters level groups with responsibility for funding, coordinating, using, setting policy for, and/or advising on human radiation experiments; and 2) the retrieval of these documents. Following this effort, we hope to be better able to focus investigation on particular field sites and/or groups of experiments from those identified previously.

Even in the brief period since the strategy was initiated, the materials uncovered demonstrate its value. For example, the materials on the 1949-53 (OSD Research and Development Board) Joint Panel on the Medical aspects of Atomic Warfare contain programmatic overviews showing the purpose of experiments, digests of experiments (showing funding, and including experiments sponsored by the Public Health Service and AEC), and continued discussions of human experimentation. However, there are important gaps in the Joint Panel materials. Moreover, even for the 1949-53 period we now know that there are other relevant groups whose documents have not been retrieved. Also, there has been essentially no retrieval of OSD documents from the post 1953 successor, and similar, groups. Service and DNA retrieval of documents from Headquarters files also has been limited.

Given what is currently known, the Headquarters search effort should now be able to proceed quickly to identify and retrieve documents through, at least, the 1974 period.

¹ We note that the notes of the January, 1994 meeting of knowledgeable persons, which DNA provided, confirm that DNA has access to a rich body of information on human experimentation and intentional releases. For example, the meeting notes refer to at least a half dozen apparent intentional releases, and to data on "500 personnel who volunteered to occupy close-to-detonation positions during events," HUMMRO experiments (including in relation to the "1951 test") and provide many other leads. That is, the meeting confirms that important, relevant information exists, and should be retrievable.

Goals/Expectations Prior to Next Committee Meeting

As further detailed in the attachment, we expect that prior to the Committee's next meeting on July 25th, the DOD will provide us with the following:

- 1) DNA and the Army's completed response to DOD's January search directive;
- 2) DOD's completed provision of responses to the May 23 letter and to the priority items identified in the June 22 letter;²
- 3) DNA and the Army's completed responses to the requests we made to them, pursuant to discussion and agreement on June 8 and June 15;
- 4) Substantial inroads by OSD, DNA and the services into the identification of Headquarter-level R&D coordinating, budgeting, and policy groups which funded, managed, coordinated, requested, advised on or used radiation experimentation, and the retrieval of their documents--through 1974. This request is essentially a reiteration of what has been previously requested, which we restate because of its importance.

In the case of OSD, this task includes:

- a) Completion of provision of documents related to the development of the 1953 ethics policy, as detailed in the attachment;
- b) Completion of provision of documents related to the Joint Panel on the Medical Aspects of Atomic Warfare and Committee on Medical Science, as detailed in the attachment;
- c) Identification of the successors to the Joint Panel and the Committee on Medical Science, and retrieval of their documents;
- d) Identification of Defense Department Research and Engineering organizations which were involved in radiation research activities (as funders, coordinators, users, sponsors, advisors, policysetters, etc.), and retrieval of their relevant documents. As we discussed, DDR&E records are a likely source of documentation on many such organizations (such as the successors to the Joint Panel on the Medical Aspects of Atomic Warfare).

We also note that the minutes of the Armed Forces Radiobiology Research Institute Board of Governors (AFRRI) indicate that, at least, the following should be important sources of data for DNA: the Weapons Effects Board; DNA Biomedical Weapons Effects Research Program; and Annual Long Range Planning Meeting for Medical Nuclear Weapons Effect Research.

² Of course, in instances where it has been conclusively determined that documents do not exist (or have been destroyed), response to that effect would be sufficient.

5) DOD declassification of a significant number of the radwarfare documents from the collections identified in the June 22 letter.

6) Portions of "QRRs" for the period through 1974. As we discussed, we understand that R&D needs have periodically been identified by DOD components in documents termed "QRRs." We sought these documents from DNA, which reports that it only has the most current QRRs available. We therefore recast this request to you.

Finally, as we stated on July 8, currently available documentation suggests that human experimentation may have been conducted in connection with atomic bomb tests. At the last meeting the Committee expressed a strong interest in learning, as quickly and efficiently as possible, whether this was the case. Because of the import of this question we will cover it in a separate discussion.

In conclusion, the Headquarters documentation we have obtained so far shows that there are many identifiable and retrievable document collections at DOD dealing with actual or potential human radiation experimentation. While there is much to be done, DOD should now be able to achieve the rapid and efficient retrieval of the documents needed to tell the human experimentation story to the American people.

Sincerely,



Dan Guttman
Executive Director

Attachment

cc: Christine Varney

ATTACHMENT TO JULY 11 STATUS LETTER

In this attachment we summarize, to the best of our understanding, the outstanding action items related to 1) the May 23 and June 22 Committee letters to Dr. Soper; 2) the Committee's June 8 and June 15 letters to DNA and the Army; 3) Committee staff discussions with the Air Force and Navy, and regarding OSD.

On July 1 DOD transmitted a "Master List of Action Items", which deals with items identified in the Committee's May 23 and June 22 letter to you. We address this first.

May 23 letter.

In our May 23 letter we sought information regarding the development and implementation of the 1953 DOD ("Nuremberg Code") ethics policy; the Cincinnati and Green Run experiments; relevant DOD organizational history; and the nature of the DOD search.

DOD's July 1 transmittal states that certain requests related to the ethics policy (Committee on Medical Research) and the Cincinnati experiments are still outstanding. However, in a number of cases the July 1 transmittal indicates that responses have been provided which, to our understanding, do not appear to have been received. These include the following requests from the May 23 letter:

1. Documents which would show whether experiments conducted following the Secretary of Defense's February, 1953 "Nuremberg Code policy" were in compliance with the policy. The July 1 letter says that such documents were couriered over on June 20. (Item I A 4). However, with the exception of some irradiated food studies, the June 20 materials contain little or no evidence of compliance (in the case of any given experiment) with the Secretary's policy.
2. Documentation of a number of items regarding the experiments at Cincinnati and related experiments. The July 1 transmittal indicates that on June 20, we received documentation showing whether these experiments complied with the 1953 Nuremberg Code policy. No such documentation appears to have been received. Indeed, in its June 27 listing of Action Items, DNA states that the search for this data is "currently being implemented." (DNA Item No. 21). Similarly, DNA also indicated that a search is "currently being implemented" for other requests to which, according to the July transmittal, we have received the response. Upon provision of data from DNA responsive to these questions we should compare notes to determine the completeness of the response to the Cincinnati requests.
3. Classified materials related to Green Run and other intentional releases, particularly that contained in an Air Force history (AFOAT-1) and minutes of the Joint Atomic Energy Intelligence Committee (JAEIC). The July 1 transmittal indicates this material was couriered over. We have not received such material. We further understand that DOD will not declassify requested Green Run material, and that, at our last inquiry, it had not located the Joint Committee

material. (It appears that materials related to the JAEIC for roughly the years 1947-60 are in the records of the Assistant to the Secretary of State for Atomic Energy in record #59 at the National Archives in Suitland.)

4. Material related to the development of the 1953 Nuremberg Code Policy. While significant material has been provided, there appear to be important gaps. As we discussed, these include documentation of the basis for the new Administration's decision to resolve the matter as it did.

5. Basic historic organization charts and similar data on the location of groups with responsibility for coordinating, funding, setting policy for, advising on, and/or using radiation research. The May 23 letter, recognizing that the data has not been provided for the Army, DNA, or the Office of Secretary of Defense, indicates that data has been couriered over in the case of the Navy and Air Force. While some such data has been provided, systematic data has not. For example, as we discussed, a 1950 Navy memo located by Committee staff identified many additional seemingly relevant committees/panels, on which the Navy sat.³

June 22 letter Priority Items

In addition to reiterating the outstanding May 23 requests, the June 22 letter identified priority items (from among prior requests). The July 1 transmittal states that action has been taken on 9 of 19 items. With regard to these nine, we note the following:

Army. The July transmittal states that we have been provided with "ethics policy documents." We have been provided with documents on Army policy development, which we appreciate. However, the request⁴ focused on documentation of the implementation of the June, 1953 Army policy. By its terms, this documentation should have included proposals for

³The April 20, 1950 Memo from Captain C.P. Behrens noted, among other groups: 1) an Office of Secretary of Defense "Task Group on Medical Aspects of Nuclear Energy"; 2) a Joint AEC/OSD "Panel on Biological and Medical Aspects of Radiological Warfare"; 3) an Armed Forces Special Weapons Project (AFSWP) Panel on Radiological Instruments; and 4) two National Research Council Panels on radiology and atomic casualties on which a Navy representative(s) sat.

⁴ Item 3 of the June 15 request stated:

The Army will search for and provide the documentation referred to [in the Secretary's June, 1953 directive] (e.g., Secretarial approval, Army agency proposals, Surgeon General's review and comment, communications with other agencies). The search will include reasonably related documentation (e.g., policy memos or critiques/analyses of experiments and documentation required by successors to the June, 1953 memorandum.

experiments, Surgeon General review and comment, and communications with other services or agencies. We have received little or no documentation evidencing implementation of the June 1953 policy in regard to particular experiments.

The July 1 transmittal also states that we received backup documents for the 1975 Army Inspector General Report which investigated Chemical Corps experiments with drugs. We may have received some of the requested materials, but we have not received all of them.⁵

DNA. The transmittal letter indicates we have been provided with one (of four) DNA priority items. As discussed, this item (AFFRI Board of Governors' Minutes) was, relatively speaking, "off the shelf" material.

OSD. First, the July 1 transmittal indicates that we received the files of the Joint Panel on Medical Aspects of Atomic Warfare. We did receive some minutes, agendas, and further documentation, which are of great interest. However, there are significant gaps in the materials received. Most notably, we did not receive any "Program Guidance Reports" or "Research Digest" documents, as were periodically prepared by the group (and copies of which had previously been located by our staff, and shared with you). In addition, the response did not include minutes or agenda, or both, for the Joint Panel's 1st, 4th, 5th, 6th, 7th, 9th, 10th, and 11th meetings.

Second, the transmittal letter states that we have been provided with records of the group that assumed responsibility for the work of the Joint Panel and the Committee on Medical Science, when DOD was reorganized in 1953. We did not receive such documents; indeed, DOD has not identified the name(s) of the successor group(s).

Air Force/Navy. While we appreciate efforts by the Navy and the Air Force, we note:

The July transmittal states that files on ethics policy for the pre-1974 period have been provided. Once again, while we appreciate the provision of files related to policies and policy development, we have received little documentation showing the application of the 1953 Nuremberg Code Policy, the 1951 Navy policy, and any similar Air Force policy, to the radiation experiments identified by these services.

The July transmittal states that we have received files on R&D coordinating groups. We understand that the Air Force and Navy are searching for files of relevant R&D coordinating groups; however, other than fragmentary documentation provided by the Navy, the documents related to these groups have not been provided.

⁵ In our June 10 meeting with Colonel Suttle and his team, it was agreed to limit our request, at least initially, to the materials identified at footnotes 1-4 and 8 (page 56) of the IG report. We have not received the materials referred to in footnotes 3, 4, and 8.

The July transmittal states that we have been provided with agency histories regarding radiation experiments. The Air Force has provided excerpts of certain histories, which we appreciate. (We will seek further portions of these histories). We understand the Navy has located some history(ies) of the NRDL, but we have yet to be provided with this or other histories.

Further Outstanding Requests of DOD Components

DNA. On June 8, following discussion with DNA, we transmitted a list of action items. As shown by DNA's June 27 status report, DNA has taken some action on 5 of 23 items. We must note that the items provided were basically "off the shelf". ⁶ DNA has yet to provide any documentation indicating significant research into its rich collection of relevant records, including those in Record Group #374. Indeed, while the January 1994 notes of a meeting to discuss data retrieval indicate that DNA recognizes its histories may be quick sources of relevant data, relevant portions of DNA histories have not even been provided. The January meeting, and the AFFRI Board of Governors minutes, however, do confirm that DNA is a rich source of documentation on human experiments, and that much documentation should be readily retrievable.⁷

OSD. As discussed, OSD has provided some very helpful information on the (1949-53) Joint Panel on the Medical Aspects of Atomic Warfare and the development of the 1953 ethics code. By the same token, this documentation demonstrates the value and likely success of a continued search to include missing documentation on the Joint Panel; documentation on other relevant groups for the 1947-53 period; and documentation of similar groups for the post-1953 period. As we discussed, beginning in about 1953-54 many such groups were likely housed in, or affiliated with, DDR&E. The immediate continuation of the OSD search through DDR&E, as DOD suggested on July 8, would be of value.

Army. The Army has not provided an action list in response to our June 15 transmittal of action items. We appreciate the Army's provision of documents related to ethics policy development, Dugway intentional releases, and certain Headquarters documentation of late 1940's and early 1950's experiments. However, most of the requests in the June 15 memo appear to be

⁶ DNA provided: 1) the computer printout obtained in its response to the January search directive; 2) notes on the January, 1994 Graybeards meeting; 3) a copy of its contract log; 4) copies of the minutes of the AFFRI Board of Governors, which you confirmed are matters of public record; and 5) some reports from the experiments identified by DNA.

⁷ For example, the AFFRI minutes indicate that relevant research was coordinated by/through 1) the Weapons Effect Board; 2) the DNA Biomedical Weapons Effects Research Program; 3) the Annual Long Range Planning Meeting for Medical Nuclear Weapons Effects Research. The January meeting memo refers to, among other items, a number of intentional releases, and 500 personnel who volunteered to occupy close to detonation positions during tests, and HVMMRO experiments. We expect that explanatory documentation on these items will be identified and provided by DNA.

outstanding.

Air Force and Navy. We have not transmitted formal requests to these services. From our discussions with them we understand they are engaged in archival and records center searches for Headquarters related documents consistent with the above discussion (eg, documents on ethics policy and implementation, on R&D coordination and programs, etc.) We hope to work with these services in the immediate future to discuss the best way to access field office records and further data on selected experiments.



**OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301**

THE SPECIAL ASSISTANT

January 10, 1993

MEMORANDUM FOR CHRISTINE VARNEY

FROM: Rudy De Leon

SUBJECT: Summary of current DoD Radiation Research Efforts.

DATA COLLECTION AND RETRIEVAL:

We have made progress on a number of fronts in data collection and record retrieval. On Friday Secretary Aspin sent out a tasking letter to provide general guidance on records search and retention. A copy of the directive is attached.

Also on Friday we officially named Dr. Gordon Soper (DoD Atomic Energy office) to be both a member of the Science and Ethics working group as well as the Records working group. This is appropriate because one of the most important near term goals of the RWG is the establishment of the scope of the collection and retrieval activities which is being proposed by the Science and Ethics working group.

By Soper working in both groups we were able to hammer out a draft scope which we have provided to the Services for their comments and expect a response by the end of today.

The Services, the Defense Nuclear Agency and the Armed Forces Radiobiology Research Institute have begun their search process and we expect an input from them this week on how they plan to organize and a very preliminary assessment of what they have found so far, where the records are, and what are their next steps.

In addition, Dr. Harold Smith, the Assistant to the Secretary of Defense (Atomic Energy), returns this week and will follow up on Secretary Aspin's tasking of setting up a structure to process the data collection and analysis.

OUTSIDE PANEL:

Under Secretary John Deutch has been talking with Dr. Jack Gibbons about the make up of the outside panel. Dr. Gibbons and Dr. Deutch seem to feel that the initial list is heavy on bio-ethicists and legal people and is in need of people with experience in managing research enterprises. This morning Dr. Deutch sent Dr. Gibbons a list of people that would give balance this board.

PUBLIC INFORMATION EFFORT:

DoD media inquiries on the radiation exposure issue has been moderate relative to those received by the White House and DOE. Still DoD has received approximately 40 media calls requesting information on DoD's part in the radiation research. We've said that we are moving out smartly and exploring every avenue within DoD that may shed light on the subject.

On December 30 Secretary Aspin issued a statement pledging to aggressively pursue the records review and release process. Public Affairs also sent guidance to field PA's last Wednesday that paralleled the statements made by the White House last Monday.

On the "Help Line Survey" we solicited the Department and have given the input back to the steering group. We are working out how we will respond to the information and inquiries gathered, but don't feel it is beneficial to set up a set of operators here that would take the calls instantly.

LEGISLATIVE ASPECTS:

Senator Kennedy's staff has asked us to provide a panelist for a hearing he is holding this Thursday in Boston. We currently plan on sending Dr. Soper. We have also been asked to provide a briefing to SASC in the next two weeks. It feels likely that a hearing will follow at some point. HASC's DOE panel is also planning a series of DOE hearings early in the session. It seems likely that this will be one of the topics.

On subsequent dates, we expect to be asked to provide witnesses to hearings held by Senate Government Affairs Committee and subcommittees of the House Energy and Commerce Subcommittee. The House and Senate Veterans Affairs Committees have limited their requests to briefings at this point, but hearings should be expected.

DoD was already preparing to provide a witness to the HVAC field hearing in Meridan, Mississippi on January 21. While that hearing was to focus on "Desert Storm mystery illnesses," the committee has now advised us that the radiation experiment issue is likely to arise as well.

LEGAL ISSUES:

General Counsel has completed a preliminary review of the legal restrictions on DoD research activities, applicable for the last ten to fifteen years. They have been involved in advising on instructions for document retention including Secretary Aspin's letter. General Counsel is also reviewing its legal relationship with other organizations, such as our contractors, to determine how best to retrieve their relevant records.

506-9987
FAX

Rick Olson

ROB



DEPARTMENT OF HEALTH & HUMAN SERVICES

Chief of Staff

Washington, D.C. 20201

MEMORANDUM

To: Phil Caplan
From: Jill Hargis *Jill Hargis*
Re: Radiation Experiments

Attached is the summary of HHS activity in connection with the Agency Coordinating Group on Radiation Experiments.

Department of Health and Human Services Activities
for the Agency Coordinating Group on Radiation Experiments
January 7, 1993

The Department of Health and Human Services (HHS) is participating in and cooperating fully with the Agency Coordinating Group on Radiation Experiments, the Steering Committee and all five working groups. The following actions have been initiated to date to support the work of the Coordinating Group.

- 1) A memorandum is being prepared by the Office of the General Counsel in coordination with the Deputy Assistant Secretary for Health for all DHHS components. This memorandum will:
 - o request that each component division identify an individual who will be responsible for activities related to the Coordinating Group,
 - o direct each component division to begin immediately to identify records related to human experimental exposure to ionizing radiation, and
 - o direct each component division to retain and secure any and all records that may pertain to experimental exposure of humans to ionizing radiation.

The three principal Public Health Service agencies (NIH, CDC, and FDA) have already been given these directions orally.

- 2) HHS is cooperating with Senator Kennedy in preparation for the January 13 hearing in Massachusetts and will be providing a witness.
- 3) It is anticipated that most of the experiments funded by HHS involving human exposure to ionizing radiation were funded by the Public Health Service. Therefore, a PHS working group has been established with representatives from the Office of the Assistant Secretary for Health, the National Institutes of Health, the Centers for Disease Control, and the Food and Drug Administration. This group will meet during the week of January 10th. This group will:
 - a) develop a method for identifying relevant records,
 - b) determine how and where to search for relevant records,
 - c) coordinate with other agencies to trace isotope deliveries from the Atomic Energy Commission,
 - d) engage in a comprehensive search and review of the medical literature in coordination with other agencies.

- 4) Lists of institutions that may have received grants or contracts from PHS during the relevant period (1945-1975) are being compiled. A memorandum is being drafted that will instruct these institutions to retain and secure any records related to human experiments with ionizing radiation.
- 5) The Office of the General Counsel has undertaken a review of recent case law regarding custody and control of grantees' and contractors' records.
- 6) Preliminary projections indicate that records will be found in many locations. For those experiments conducted by PHS employees, the records, if they still exist, are likely to be found within intra-Departmental sub-agencies. Records of grantees and contractors will be even more scattered and may be hard to locate as PHS pre-1966 grant and contract records consist of the title of each grant, the recipient institution, the investigator, the amount awarded and a single line description of the project.
- 7) HHS is attempting to locate records from the Interagency Task Force on the Health Effects of Ionizing Radiation. This group prepared a report for the President in 1978 and, as background for the report, may have prepared an inventory of experimentation with ionizing radiation.
- 8) HHS is conducting a preliminary evaluation of our expertise in providing follow-up to individuals who may have been exposed to radiation. CDC and NIH (and its National Cancer Institute) conducted longitudinal studies on radiation exposure including the DOE workers study, studies of Chernobyl victims, and follow-up studies of patients who have received radiation as a part of a treatment regimen.

D R A F T

MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES

FROM: CHRISTINE VARNEY

SUBJECT: Retrieval and Inventory of Records
of Human Radiation Experiments

1. Direction to Agencies - Each Agency shall establish forthwith a procedure for retrieval and inventory of records of human radiation experiments conducted by the Agency or under a contract or grant of the Agency. Agencies shall coordinate their procedures with the Human Radiation Interagency Working Group to insure, where appropriate, that uniform procedures for the retrieval and inventory of records are applied at each Agency.

2. Definitions -

(a) "Agency" means Department of Defense, Department of Energy, Department of Health and Human Services, Central Intelligence Agency, Department of Veterans Affairs, and NASA.

*Retrieval
Not Definitions*

"Human radiation experiments" means:

(i) Experiments on individuals involving intentional exposure to ionizing radiation. This category does not include incidental exposures to ionizing radiation that were common and routine clinical practices, such as diagnostic X-rays.

(c) ~~(ii)~~ Experiments involving intentional environmental releases of radiation which

(1) were designed to test human health effects of ionizing radiation;

(2) were designed to test the extent of human exposure to ionizing radiation; or

(3) were principally designed to test the environmental dispersion of ionizing radiation.

*Note the 6
experiments
noted therefor -
? Deutsch's
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3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiments conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976 human radiation experiment.

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4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

shall coordinate these procedures with the Human Radiation Interagency Working Group.

5. Each Agency Head shall institute procedures for making records on human radiation experiments available to the public. In implementing these procedures, each Agency Head shall immediately issue an order to all elements of the Agency:
 - (i) Not to destroy any records relating to human radiation experiments.
 - (ii) To locate forthwith all records relating to human radiation experiments in the custody of the Agency, and to identify any such records in the custody of contractors or grantees of the Agency. Agencies shall work together with the Human Radiation Interagency Working Group to standardize the retrieval of these records, which may involve the transfer of files to a designated repository. Until specific instructions are given for the transfer of the records, individual documents shall not be removed from their file series.
 - (iii) To review all such records for national security classification and to declassify such records to the maximum extent and as soon as possible. Agencies shall avail themselves of every opportunity to cooperate in expediting this process.
 - (iv) To make any deletions required for the protection of privacy interests of the subjects of the experiments or their next of kin.
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 - (a) "Agency" means Department of Defense, Department of Energy, Department of Health and Human Services, Central Intelligence Agency, Department of Veterans Affairs, and NASA.
 - (b) "Human radiation experiments" means:
 - (i) Experiments on individuals involving intentional exposure to ionizing radiation. This category does not include incidental exposures to ionizing radiation that were common and routine clinical practices, such as diagnostic X-rays.
 - (ii) Experiments involving intentional environmental releases of radiation which
 - (1) were designed to test human health effects of ionizing radiation; or
 - (2) were designed to test the extent of human exposure to ionizing radiation.
3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiment conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976 human radiation experiment.
4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

shall coordinate these procedures with the Human Radiation Interagency Working Group.

5. Each Agency Head shall institute procedures for making records on human radiation experiments available to the public. In implementing these procedures, each Agency Head shall immediately issue an order to all elements of the Agency:
 - (i) Not to destroy any records relating to human radiation experiments.
 - (ii) To locate forthwith all records relating to human radiation experiments in the custody of the Agency, and to identify any such records in the custody of contractors or grantees of the Agency. Agencies shall work together with the Human Radiation Interagency Working Group to standardize the retrieval of these records, which may involve the transfer of files to a designated repository. Until specific instructions are given for the transfer of the records, individual documents shall not be removed from their file series.
 - (iii) To review all such records for national security classification and to declassify such records to the maximum extent and as soon as possible. Agencies shall avail themselves of every opportunity to cooperate in expediting this process.
 - (iv) To make any deletions required for the protection of privacy interests of the subjects of the experiments or their next of kin.
6. Agencies shall work together with the Human Radiation Interagency Working Group to standardize the inventory of records of human radiation experiments. Such standards will address methods for describing records, collecting, transcribing and verifying inventory information, and documenting records search strategies.

D R A F T**MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES****FROM: CHRISTINE VARNEY****SUBJECT: Retrieval and Inventory of Records
of Human Radiation Experiments**

1. Direction to Agencies - Each Agency shall establish forthwith a procedure for retrieval and inventory of records of human radiation experiments conducted by the Agency or under a contract or grant of the Agency. Agencies shall coordinate their procedures with the Human Radiation Interagency Working Group to insure, where appropriate, that uniform procedures for the retrieval and inventory of records are applied at each Agency.
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 - (i) Experiments on individuals involving intentional exposure to ionizing radiation. This category does not include incidental exposures to ionizing radiation that were common and routine clinical practices, such as diagnostic X-rays.
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Tuskegee experiments?

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2. Definitions -

(a) "Agency" means Department of Defense, Department of Energy, Department of Health and Human Services, Central Intelligence Agency, Department of Veterans Affairs, and NASA.

(b) "Human radiation experiments" means:

Research?
(i) Experiments on individuals involving intentional exposure to ionizing radiation. This category does not include incidental exposures to ionizing radiation that were common and routine clinical practices, such as diagnostic X-rays.

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(ii) Experiments involving intentional environmental releases of radiation which

(1) were designed to test human health effects of ionizing radiation; or

(2) were designed to test the extent of human exposure to ionizing radiation.

(c)
3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiment conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976 human radiation experiment.

4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

will not be expanded to include other experiments for other things. Greenburg, Pasadena Ridge,

(Glean) noted in GAO report

shall coordinate these procedures with the Human Radiation Interagency Working Group.

5. Each Agency Head shall institute procedures for making records on human radiation experiments available to the public. In implementing these procedures, each Agency Head shall immediately issue an order to all elements of the Agency:
 - (i) Not to destroy any records relating to human radiation experiments.
 - (ii) To locate forthwith all records relating to human radiation experiments in the custody of the Agency, and to identify any such records in the custody of contractors or grantees of the Agency. Agencies shall work together with the Human Radiation Interagency Working Group to standardize the retrieval of these records, which may involve the transfer of files to a designated repository. Until specific instructions are given for the transfer of the records, individual documents shall not be removed from their file series.
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 - (a) "Agency" means Department of Defense, Department of Energy, Department of Health and Human Services, Central Intelligence Agency, Department of Veterans Affairs, and NASA.
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 - (ii) Experiments involving intentional environmental releases of radiation which
 - (1) were designed to test human health effects of ionizing radiation; or
 - (2) were designed to test the extent of human exposure to ionizing radiation.
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8/74 SPECIFIC REF TO QUINLANOS
4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

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 - (i) Not to destroy any records relating to human radiation experiments.
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 - (iii) To review all such records for national security classification and to declassify such records to the maximum extent and as soon as possible. Agencies shall avail themselves of every opportunity to cooperate in expediting this process.
 - (iv) To make any deletions required for the protection of privacy interests of the subjects of the experiments or their next of kin.
6. Agencies shall work together with the Human Radiation Interagency Working Group to standardize the inventory of records of human radiation experiments. Such standards will address methods for describing records, collecting, transcribing and verifying inventory information, and documenting records search strategies.

From BACK COB NES -

D R A F T**MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES****FROM: CHRISTINE VARNEY****SUBJECT: Retrieval and Inventory of Records
of Human Radiation Experiments**

1. Direction to Agencies - Each Agency shall establish forthwith a procedure for retrieval and inventory of records of human radiation experiments conducted by the Agency or under a contract or grant of the Agency. Agencies shall coordinate their procedures with the Human Radiation Interagency Working Group to insure, where appropriate, that uniform procedures for the retrieval and inventory of records are applied at each Agency.

2. Definitions -

(a) "Agency" means Department of Defense, Department of Energy, Department of Health and Human Services, Central Intelligence Agency, Department of Veterans Affairs, and NASA.

(b) "Human radiation experiments" means:

Research - ongoing liability questions
(i) Experiments on individuals involving intentional exposure to ionizing radiation. This category does not include incidental exposures to ionizing radiation that were common and routine clinical practices, such as diagnostic X-rays.

(ii) Experiments involving intentional environmental releases of radiation which

(1) were designed to test human health effects of ionizing radiation; or

(2) were designed to test the extent of human exposure to ionizing radiation.

(3) Should #3 include research such as "Free Run" (x6) (see GAO report)

3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiment conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976 human radiation experiment.

4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

shall coordinate these procedures with the Human Radiation Interagency Working Group.

5. Each Agency Head shall institute procedures for making records on human radiation experiments available to the public. In implementing these procedures, each Agency Head shall immediately issue an order to all elements of the Agency:
 - (i) Not to destroy any records relating to human radiation experiments.
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(1) were designed to test human health effects of ionizing radiation; or

iii. (2) were designed to test the extent of human exposure to ionizing radiation.

this does not make sense as written

3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiments conducted after 1974, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1974 human radiation experiments.

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7. At early ~~Agency~~ ^{Advisory} committee, Agency seek comments

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D R A F T

MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES

FROM: CHRISTINE VARNEY

SUBJECT: Retrieval and Inventory of Records
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 - (1) were designed to test human health effects of ionizing radiation; or
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3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiment conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976⁴ human radiation experiment.
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3. The time period covered by this Memorandum is from 1944 to the present. For human radiation experiment conducted after 1976, each Agency may institute procedures, to be approved by the Human Radiation Interagency Working Group, for the sampling of records pertaining to post-1976 human radiation experiment.
4. Each Agency Head shall institute procedures for notifying and making records available to subjects of human radiation experiments and their next of kin. As appropriate, Agencies

shall coordinate these procedures with the Human Radiation Interagency Working Group.

5. Each Agency Head shall institute procedures for making records on human radiation experiments available to the public. In implementing these procedures, each Agency Head shall immediately issue an order to all elements of the Agency:
 - (i) Not to destroy any records relating to human radiation experiments.
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 - (iii) To review all such records for national security classification and to declassify such records to the maximum extent and as soon as possible. Agencies shall avail themselves of every opportunity to cooperate in expediting this process.
 - (iv) To make any deletions required for the protection of privacy interests of the subjects of the experiments or their next of kin.
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*To Secure
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7. Early ~~advice~~ ^{advice} from advisory committee will be sought

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agreed
Other Experiments To Be Reviewed

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**THE SECRETARY OF DEFENSE**

WASHINGTON, DC 20301-1000

01 JAN 1994

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING
ASSISTANT SECRETARIES OF DEFENSE
COMPTROLLER
GENERAL COUNSEL
DIRECTOR, OPERATIONAL TEST AND EVALUATION
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR OF ADMINISTRATION AND MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: DoD Human Radiation Research Review

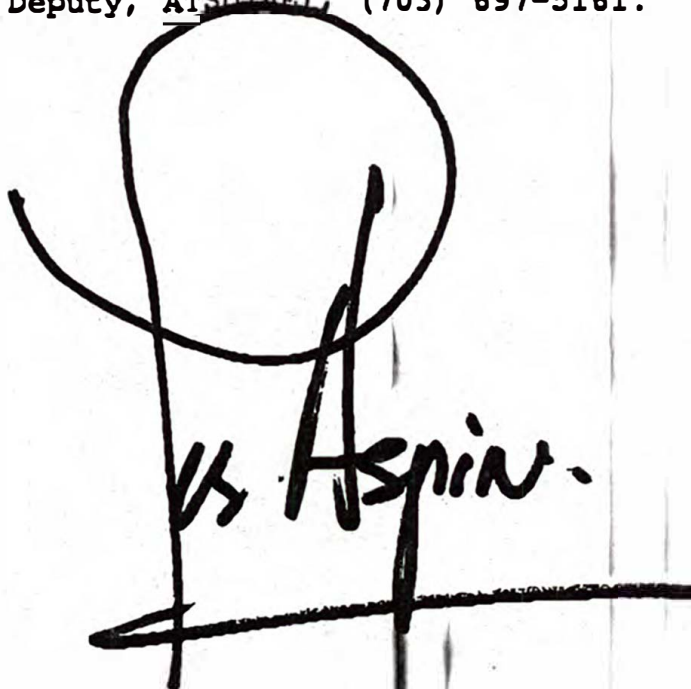
I have appointed Dr. Harold P. Smith, Assistant to the Secretary of Defense (Atomic Energy), as the DoD-wide focal point for the compilation and review of all Defense Department data or information related to ionizing radiation research with human subjects. He will work with the Interagency Working Group on this issue and coordinate our efforts with those of the other relevant agencies. I want to move quickly and thoroughly on this matter -- it should be given high priority.

The ATSD(AE) will chair a DoD working group to structure the process for data collection and analysis and development of a DoD overall plan of action. He will also be responsible for determining the outside organizations with which the Department has worked that might have such records, and the best way to preserve those records and obtain them for review. This ATSD(AE) led effort will be under the overall guidance of John Deutch, who is the senior department official responsible for this matter.

I request you take immediate steps to ensure that any documents or records in your office related to human ionizing radiation research are retained and not destroyed. This includes all letters, memoranda, reports, logs, handwritten notes, written procedures, and all other writings, as well as photographs, maps, and machine-readable materials. Your search should include all file indices of records retired to the Federal Records Center at Suitland, MD, or a search of those files at Suitland as appropriate. Please advise all persons responsible for routine document disposal procedures of the need to preserve these records.

Veterans who participated in atmospheric nuclear testing and the occupation of Hiroshima and Nagasaki are already included in the national Nuclear Test Personnel Review (NTPR) program and are not part of this effort.

Inquiries regarding this matter should be directed to Dr. Gordon K. Soper, Principal Deputy, ATSD(AE), (703) 697-5161.

A large, stylized handwritten signature, likely "J. Aspin", is written in black ink. The signature features a large, circular loop at the top, followed by a vertical stroke that descends and then curves back up to complete the loop. Below this, the name "Aspin" is written in a cursive, handwritten style. A horizontal line is drawn across the bottom of the signature.

Fax to Jack Gibbons

Subject: People to consider for Adv. Comm. on Radiation Expts. on Humans

From: John Deutch

As promised here are some suggestion of individuals who would contribute to the technical and research aspects of our inquiry and add needed professional balance to the previous lists I have seen:

- | | |
|--------------------------------------|---|
| 1. Sam Thier | - Former Head of Institute of Medicine |
| 2. Frank Press | - Former President Nat. Acad. of Sci. |
| 3. John Aherne | - President Sigma Xi, former Chm. NRC |
| 4. Maxine Singer | - President Carnegie Instit.; former NIH |
| 5. Dave Shirley | - VP Penn State, former Director Berkeley Lab |
| 6. Don Kerr | - Vice Pres SAIC, former Director Los Alamos |
| 7. Harvey Berger | - CEO ARIAD Inc., former Centacor, Yale Med. |
| 8. Bob Hanfling | - Consulting Eng., former Sp. Ast. to Hazel |
| 9. David Bode | - VP Midwest Res. Insit., former Nat. Acad. Eng. |
| 10. ADM. Bill Miller Ret. | - Former head of ONR |
| 11. VADM J. Guy Reynolds Ret. | - Former head of Navy R&d, nuclear
trained |
| 12. John McTague, VP R&D | - Ford Motor, former Chem prof. UCLA |
| 13. Professor John Ross | - Dept. Chemistry, Stanford |
| 14. Professor Ernie Moniz | - Head, Dept. of Physics, MIT |

This list provides an impression of the kinds of people that I believe are necessary for the advisory committee to be balanced and to be perceived as balanced.

People with bio-ethics/legal backgrounds should not out-number people with research and/or technical management backgrounds.

If requested, I would be pleased to help recruit anyone on this list.

cc: Christine Varney, Hazel O'Leary, Rudy de Leon, Gordon Soper

Human Experimentation Hotline Survey Form

INQUIRY NUMBER:

DATE:

Month

Day

Year

TIME AT BEGINNING OF INTERVIEW:

AM

PM

INTERVIEWER:

Caller Information:

1. Have you called the Hotline before and talked to an operator ?
(circle one)

Y

What is your Inquiry Number from your first
call to the Hotline:

DK
(Don't Know)

What additional information do you want to give me today.
Add additional caller information to survey, where
appropriate.

N

GO TO #2

2. Are you calling on behalf of an organization ?
(circle one)

Y

Organization Name:

N

GO TO #3

3. What is your full name, please?

First Name:

Last Name:

MI:

4. What is your address ?

Line 1:

Line 2:

City:

State:

ZIP:

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5. What is your telephone number, area code first please:

() -

6. Are you a veteran or are you calling about participation in activities related to atomic bomb testing, such as those that occurred in the Pacific or at the Nevada Test Site?

(circle one)

Y (GOTO #6a)

N (CONTINUE INTERVIEW)

6a. What was the location or home of the exposure event ? (Check appropriate spaces)

Anewetok	___
Bikini Atolls	___
Hanford	___
Japan	___
Hiroshima	___
Nagasaki	___
Marshall Islands	___
Monte Bello	___
Nevada Test Site	___
Operation Green Run	___
Operation Red Wing	___
Operation Upshot	___
Pacific	___
Palermo	___
White Sands	___
Other: (Ask caller to specify)	_____

Mr./Ms. <caller name>, For veterans or other people exposed to atomic testing fallout, there are separate toll-free numbers to receive and process this information. Are you ready to take down the numbers ? (PROVIDE CALLER TOLL-FREE NUMBERS, POP UP LIST)

7. Are you the person about whom you are calling today?
(circle one)

Y (GO TO #13)
N (GO TO #8)

8. What is the name of the person you are calling about:

First Name:

--

 Last Name:

--

 MI:

Male ___
Female ___

9. How is this person related to you ?

Spouse	_____
Child	_____
Sibling	_____
Parent	_____
Other Relative	_____

10. Is your (relation) now living ?
(circle one)

Y (CONTINUE INTERVIEW, GO TO #11)

N (GO TO #13)

11. What is (relation's) address ?

Line 1:

Line 2:

City: State:

ZIP: -

12. What is their phone number, area code first please ?

() -

13. What is your/relation's date of birth:

Month	Day	Year
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DK

14. What is your/relation's social security number:

			-			-				
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DK

15. When do you believe you/relation were/was exposed to radiation ?

Year(s):

				to				
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DK

If the exact date is not known, then enter a general description (e.g., late 1950's):

16. At what facility or hospital did the experiment or exposure take place ? (check appropriate space):

University of Cincinnati Hospital	_____
Massachusetts General Hospital	_____
Vanderbilt University	_____
Oak Ridge Institute of Nuclear Research	_____
University of Rochester School of Medicine	_____
Strong Memorial Hospital	_____
Hanover Hospital	_____
The Fernald School	_____
Walter Reed Army Hospital	_____
Bethesda Naval Hospital	_____

17. Does the facility still exist ? Y N DK

18. Was the experiment or exposure part of a :
(Check appropriate space after reading thru the selections to callers).

Research Activity	_____
Medical Treatment	_____
Atmospheric Testing	_____
Don't Know	_____
Other (specify):	_____

19. Can you give me any details about this experiment or exposure ?

20. Do you know who was responsible or paid for the experiment or exposure:

In order for DOE to have complete records and documentation for this project, **it is critical that you send a letter** describing the details of the exposure and its circumstances. You may also enclose copies of any documents that you think will give more information related to this exposure. PLEASE DO NOT SEND ORIGINAL DOCUMENTS.

21. Do you think you will be sending written material to us ? Y N Maybe

If you are ready, I will give you the address where you will send your information:

Send this information to: _____

EH-1 Hotline
Department of Energy
Washington, D.C. 20585

Now I will assign you an inquiry number. Please use this number as a personal identifier on any written material you send us or when calling the Hotline again.

CLOSING STATEMENT:

We thank you for your call and participation in this project. We will process all the information you have given today as well as what you will send. If we need more information, we will contact you again. Thank you very much for calling.

General Information- INTERNAL USE ONLY -

Was the caller referred to a supervisor ?	Y	N
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If yes, reason for referral:

Was the caller referred to Public Affairs ?	Y	N
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Was the caller referred to General Counsel ? Y N

TIME AT COMPLETION OF INTERVIEW: AM
PM

Additional Interviewer Notes - INTERNAL USE ONLY -



Department of
Veterans Affairs

News Release

FOR IMMEDIATE RELEASE

BROWN PLEDGES QUICK ACTION ON REVIEW OF NUCLEAR MEDICINE RESEARCH RECORDS

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

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

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

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

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

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