



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

AUG 26 1994

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

**SUBJECT: General Accounting Office (GAO) Code 302113, "Federally Sponsored Radiation Releases and Experiments Involving Human Subjects" and Code 709096, "Human Use Experiments During the Cold War Era" Inquiries**

Representatives of the GAO met with members of the Defense Nuclear Agency (DNA) staff on 5 August 1994 to discuss GAO Code 302113, "Federally Sponsored Radiation Releases and Experiments Involving Human Subjects". During the discussions, the GAO representatives requested that DNA provide information that was readily available in response to their questions of 19 July 1994 (Attachment 1), rather than delay our response to research answers in detail. The information at Attachment 2 is in response to GAO Code 302113 questions.

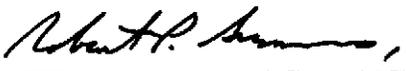
On 25 August 1994, representatives of GAO (Code 709096) visited with members of the DNA staff to discuss information requirements for a study on "Human Use Experiments During the Cold War Era" (Attachment 14) that has been requested by Chairman John Conyers, Jr., Subcommittee on Legislation and National Security, House Committee on Government Operations. The overall objective of GAO Code 709096 is to identify the magnitude, possible impact, and government actions to address problems resulting from experiments sponsored or conducted by federal agencies for national security purposes in which humans were deliberately exposed to hazardous or potentially hazardous chemical, biological, and/or nuclear material. As agreed upon at the 25 August 1994 meeting, the information requested in GAO Code 709096 is covered in our response to Code 302113 (Attachment 2).

In accordance with the guidance provided in the ATSD(AE) memoranda dated 31 January 1994 and 24 May 1994 (Attachments 3 and 5), DNA developed and implemented a comprehensive search plan to locate and retrieve documentation of research which may have involved exposure of humans to ionizing radiation including intentional releases. Initial findings were reported in a DNA memorandum to ATSD(AE) dated 28 February 1994 (Attachment 4). Since DNA primarily funds work performed by others, the initial search effort focused on contractual records, which would flag the performance of such experiments, and on database searches for technical reports, which would have resulted from any work funded by DNA. The search of archive facilities identified in DNA's 28 February 1994 response is in progress. Procedures for ensuring the completeness and accuracy of the search are detailed in DNA search guidance (Attachments 6, 7 and 8).

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DNA is committed to support the Presidential initiative to locate records of Human Radiation Experiments (HRE) and provide public access to all relevant records through the DoD's Radiation Experiments Command Center (RECC). DNA is providing copies of all relevant records resulting from our search to the RECC.

Mrs. Joan Ma Pierre, Director for Radiation Sciences, is my point of contact for all HRE matters. If we can be of any further assistance, please contact Mrs. Pierre at 703-325-7302.

*for*  *Chief of Staff*  
KENNETH L. HAGEMANN  
Major General, USAF  
Director

**Attachments**

1. GAO Questionnaire (Code 302113)
2. DNA Response to Questionnaire
3. ATSD(AE) 31 Jan 94 Memorandum (re. Question 1)
4. DNA Initial Response (dtd 28 Feb 94) (re. Question 1)
5. ATSD(AE) 24 May 94 Memorandum (re. Question 1, 8)
6. DNA GC 10 Jan 94 Memorandum (re. Question 1, 2, 3)
7. DNA GC 2 Feb 94 Memorandum (re. Question 1, 2, 3)
8. DNA Search Guidelines (dtd 12 Jul 94) (re. Question 1, 2, 7)
9. Personnel Assigned (re. Question 3)
10. Minutes of 3 Jun 94 DNA/ACHRE Meeting (re. Question 12)
11. ACHRE 8 Jun 94 Letter (re. Question 12)
12. Minutes of 11 Aug 94 DNA/ACHRE Meeting (re. Question 12)
13. ACHRE 12 Aug 94 Letter (re. Question 12)
14. DoD IG 16 Aug 94 Memorandum

cc:  
RECC (COL Bailey)

DNA Response to GAO Question Code 302113, Review of Search for Cold War  
Radiation Experiments (Provided to DNA 19 July 1994)

**QUESTION 1:** "Agency action plan and procedures for (a) identifying, locating, inventorying, and retrieving all pertinent records of radiation experiments, intentional releases involving human subjects and other specific experiments identified in the ATSD(AE) memo, (b) disclosing the information to the subjects of the experiments and the public."

**ANSWER 1a:** DNA has implemented a two phase program to recover and report relevant information as directed by ATSD(AE) (Attachment 3). During Phase I, which focused on Human Radiation Experiments (HRE) and intentional releases, DNA performed computerized and manual searches of document collections at HQ DNA, the DoD Nuclear Information Analysis Center (DASIAC), and the Defense Technical Information Center (DTIC). DNA search guidance for the Phase I effort is provided at Attachments 6 and 7. DNA identified 11 experiments that were directed or funded by DNA or its predecessor organizations. We found no relevant records on intentional releases. These results were reported to ATSD(AE) on 28 Feb 1994 (Attachment 4).

Phase II was effectively launched by the 24 May 1994 ATSD(AE) memorandum (Attachment 5). This memorandum expanded the scope of the HRE search to include DoD HRE policy, medical research, ethical standards development, organizational data, documents relating to particular experiments and "thread" material. In response, DNA initiated the Human Radiation Experiment Information Retrieval (HREIR) effort to search archived material at the Washington National Records Center (WNRC) and the National Archive Records Administration (NARA). The DNA Search Guidelines (Attachment 8) provide details of the search plan and procedures.

**ANSWER 1b:** DNA is supporting an overall DoD effort to respond to the Advisory Committee on Human Radiation Experimentation (ACHRE). In accordance with guidance from the ATSD(AE) HRE Working Group, DNA forwards all relevant information through ATSD(AE) to the Radiation Experiments Command Center (RECC) for follow-up actions. Information disclosure to subjects of the experiments and the public is handled through the RECC.

**QUESTION 2:** "Agency procedures for retrieving records from current and former non-government grantees and contractors."

**ANSWER 2:** The agency procedures for retrieving records are contained in Attachments 6, 7 and 8. Eleven experiments sponsored by DNA and its predecessor organizations have been identified. DNA records on these experiments have been forwarded to the

**RECC.** Four experiments were performed by the Armed Forces Radiobiology Research Institute (AFRRI). AFRRI HRE activities are conducted and reported independently of DNA. Two experiments were performed at the Walter Reed Army Medical Center and one occurred at the Walter Reed Medical Institute. The Army is searching for records on these three experiments. Some records pertaining to the University of Cincinnati experiment were obtained by RECC personnel. DNA has sent letters requesting relevant data directly to the three remaining research institutions where experiments were performed. These institutions are Baylor University; The Sloan-Kettering Institute for Cancer Research; and The Veterans Administration Hospital in Long Beach, California. The responses received from these three institutions will be forwarded to the RECC.

**QUESTION 3:** "Personnel involved in developing the plan, directing and performing records search activities, and reviewing records. Include:

- a. members of the working Group chaired by the ATSD(AE) which was charged with structuring the process for data collection and analysis and the development of an overall plan of action (See memo dtd 07 Jan 94, 2nd paragraph from former [SECDEF Les A]spin).
- b. how many personnel at each agency headquarters and field location, including Radiation Experiments Command Center
- c. type of personnel and qualifications (for example: developing plan, directing the records search, performing records search activities, reviewing records on radiation experiments, etc.)
- d. area of responsibility/role played (for example: developing plan, directing the records search, performing records search activities, reviewing records on radiation experiments, etc.)
- e. number of hours per week each person devotes to this project
- f. whether personnel are federal employees or contractors."

**ANSWER 3a:** Members of the Working Group can be obtained from ATSD(AE). DNA participation during Phase I (January & February 1994) consisted of RADM H.D. Wisely, USN, Director of Operations, and Mrs. Joan Ma Pierre, Director for Radiation Sciences. They assisted ATSD(AE) in developing the overall DoD search strategy and in establishing the RECC. As members of the ATSD(AE) Working Group, they brought DNA's experience with the Nuclear Test Personnel Review (NTPR) program to bear on the project. Mr. Robert Brittigan, General Counsel, also served on the Working Group, and initiated and directed the Phase I search activities within DNA. Two memoranda,

which reflect search guidelines used by the DNA search team in this phase, are at Attachments 6 and 7. Mr. Brittigan also assisted OSD/GC in drafting the DoD search guidelines. Mrs. Pierre is now the principal DNA representative on the ATSD(AE) Working Group. Dr. David Auton, who has extensive experience with the NTPR program, also attended several ATSD Working Group meetings between January and June 1994. Recently, Colonel Michael Callaway, USAF, who developed and implemented the DNA Phase II archive search, has represented DNA as required.

**ANSWER 3b:** During Phase I, approximately 12 full time equivalents (FTE) supported the DNA effort. This conservative estimate includes both government and contractor personnel. In mid-June 1994, 16 people were assigned full time to support the Phase II program, particularly the archive search effort. An additional 25 people were added to the project on 1 August 1994 to accelerate the search process and accommodate the expanded scope of the search. A pool of 78 people has received training in various aspects of the HREIR process to ensure that a sufficient number of people are available at all times to support the effort. At the present, approximately 40 FTEs are devoted to support the effort.

**ANSWER 3c:** Three senior level managers provide oversight of the search effort; 49 scientists, engineers, and security specialists conduct searches and technical reviews; and 26 administrative and clerical support personnel provide general support (see Attachment 9).

**ANSWER 3d:** The area of responsibility/role played is listed in Attachment 9.

**ANSWER 3e:** The estimated number of hours per week each person devotes to this project is listed in Attachment 9.

**ANSWER 3f:** Government and contractor personnel are designated in Attachment 9.

**QUESTION 4:** "Number of sites/locations involved in records search. Please list."

**ANSWER 4:**

- Headquarters DNA (Technical Library and individual office records)
- Field Command DNA
- AFRRI Technical Library \*
- DoD Technical Information Center (DTIC)
- DoD Nuclear Information Analysis Center (DASIAC)
- Washington National Records Center (WNRC)
- National Archives and Records Administration (NARA)

\* AFRRI HRE activities are conducted and reported independently of DNA.

In addition to the above, a DNA support contractor visited Baylor University, Texas; Walter Reed Army Medical Center, Washington, D.C.; Los Alamos National Laboratory, New Mexico; and Brooks AFB, Texas.

**QUESTION 5:** "Statistics on records and experiments.

- a. estimate of number of records and experiments found to date
- b. estimate of total number of records and total number of experiments
- c. estimate of percentage of records and experiments agency officials think they will be able to retrieve."

**ANSWERS 5a-c:**

The following statistics on records and experiments are as of 24 August 1994.

5a - Estimate number of [relevant] records\* found to date - 470

5a - Estimate number of experiments found to date - 11

5b - Estimate total number of records that might be found - 600

5b - Estimate total number of experiments - 11

5c - Estimate percentage of records agency officials think they will be able to retrieve\*\*

5c - Estimate percentage of experiments agency officials think they will be able to retrieve\*\*

\* A "record" is defined as a separate and distinct document or an excerpt from a document. More than one excerpt may come from the same document.

\*\* DNA has searched all current files at DNA Headquarters, DNA Field Command, DTIC, and libraries maintained by DASIAC (contractor). DNA will search all known archived material belonging to DNA and its predecessor organizations. This process should result in retrieval of all available records on experiments involving irradiation of human subjects performed by DNA and its predecessor organizations.

**QUESTION 6:** "Statistics on cost/funding:

- a. cost to agency to date
- b. estimate on final cost to agency
- c. source of funding for agency effort."

**ANSWER 6a:** As agreed to with GAO, DNA has not performed a rigorous cost study. A first-order, conservative approximation for government and contractor personnel costs is \$1.4M to date.

**ANSWER 6b:** We have no way of estimating the final cost to the agency at this time. The total cost will depend on the number and scope of follow-on activities that may be required.

**ANSWER 6c:** Funds to support this effort have been absorbed within the agency's existing Total Obligational Authority (RDT&E and O&M).

**QUESTION 7:** "Documentation of all steps, procedures, and actions that agency has gone through to:

- a. ensure the quality, integrity, and completeness of the records search activities
  - b. ensure record searchers comply with procedures
  - c. provide necessary resources to accomplish plan
  - d. provide for feedback to monitor progress and problems
- (e.g., memos, site visits, trip reports, progress reports)"

**ANSWER 7a:** DNA has implemented a thorough system of supervision, quality control and coordination. Meetings with all DNA staff elements involved in search activities are conducted weekly by Mrs. Pierre (or Colonel Callaway in her absence). The status, progress, and required efforts to support HRE are discussed, issues are resolved, and the meetings are documented. HRE status and issues are reported as appropriate during the weekly DNA Director's Staff Meeting and the Chief of Staff meeting.

DNA Search Guidelines at Attachment 8 detail the DNA procedures to ensure our archive search effort is comprehensive. Continuous reviews and periodic refinements incorporate lessons learned to maximize the efficiency of the process. Working level meetings are conducted as required (approximately twice per week) among the archive search team to ensure complete understanding of search requirements and processes, and to resolve issues

that arise.

**ANSWER 7b:** DNA has developed and implemented extensive quality control procedures to ensure the search is accurate and thorough. Quality assurance starts with the training that is required for all search team personnel, and includes independent checks of the search results and record keeping processes. The DNA Quality Control (QC) process is detailed in the DNA Search Guidelines at Attachment 8.

**ANSWER 7c:** The resources assigned to the DNA effort are provided in the response to QUESTION 3 above.

**ANSWER 7d:** This issue was addressed in ANSWER #7a. Additionally, results of QC checks are relayed directly to the original searcher as training to ensure each individual is aware of the desired level of performance. Problems discovered during the QC process are also presented constructively to the entire search team during periodic meetings among the search staff.

**QUESTION 8:** "Difficulties in implementing the agency records search plan -- according to agency officials, fields offices, and sites."

**ANSWER 8:** In response to ACHRE direction, the 24 May 94 ATSD(AE) memorandum (Attachment 5) expanded the overall scope of the HRE effort beyond the original guidance for Phase I. The expanded scope required additional DNA resources as discussed in ANSWERS 1 and 3. Four principal difficulties encountered by DNA are:

(1) The availability and identification of resources to conduct the archival searches, which are labor intensive.

(2) Confusion on the revised search limits, particularly the definition of an HRE "thread".

(3) HRE search requirements overwhelmed the staff and infrastructure support that WNRC and NARA could provide. However, they made every attempt to accommodate the search effort.

(4) Uncertainty about potential future HRE support requirements and the associated resources needed to respond.

**QUESTION 9:** "Types of information agency is gathering on human subjects of experiments:"

a. health status before and after experiment

- b. age at time of experiment
- c. race
- d. sex
- e. vulnerable/disadvantaged status (such as mentally ill)
- f. whether informed consent was obtained
- g. current status and location of subject (or next-of-kin)
- h. cause of death and age of death of subject
- i. other information."

**ANSWERS 9a-i:** OSD has directed that copies of all DoD applicable records be forwarded to the RECC for consolidation, analysis, support to ACHRE and public access. This question should be referred to the RECC.

**QUESTION 10:** "Plans and procedures for identifying and locating human subjects of radiation experiments. For example:

- a. who will make contacts?
- b. how will it be done (e.g., in person, by phone, in writing)
- c. what types of information will be provided to subjects?"

**ANSWERS 10 a-c:** We anticipate that plans and procedures to accomplish this task will be developed as required by OSD in conjunction with the Inter-Agency Working Group. This question should be referred to the RECC.

**QUESTION 11:** "Status of agency efforts to identify and notify human subjects of radiation experiments. Include:

- a. how many subjects have been identified to date?
- b. how many subjects have been notified to date?
- c. estimate of number of subjects agency officials think they will be able to identify and notify

d. what are the reactions of the subjects?"

**ANSWERS 11a-d:** See ANSWERS #9 and #10.

**QUESTION 12:** "Documentation of agreements and correspondence between agency and Advisory Committee on Human Radiation Experiments."

**ANSWER 12:** As directed by ATSD(AE), all information identified by the HREIR process is forwarded to the RECC. DNA has had two meetings with the ACHRE on 3 June and 11 August 1994 (minutes at Attachments 10 and 12). Additionally, DNA has received two letters directly from the ACHRE dated 8 June and 12 August 1994 (Attachments 11 and 13).

**QUESTION 13:** "Documentation of agency efforts to declassify classified data."

**ANSWER 13:** DNA security specialists have reviewed 371 records for declassification. As of 24 August 1994:

- 59 records have been verified as unclassified.
- 208 classified records have been declassified.
- 26 classified records have been sanitized. (i.e., Classified portions have been removed or blocked out. This is normally done when the amount of classified information in a document is relatively small.)
- 62 records have been forwarded to other agencies for declassification action.
- 17 records are currently in the DNA declassification process.
- 9 records can not be declassified. However, copies of these documents have been forwarded to the RECC.

The DNA declassification team is providing approximately a two day turn around on document declassification.