

ATTACHMENT 1
EXECUTIVE SUMMARY

**EXECUTIVE SUMMARY
ADVISORY COMMITTEE ON
HUMAN RADIATION EXPERIMENTS
PANEL MEETING
21 OCTOBER 1994**

1.0 GENERAL

The Advisory Committee on Human Radiation Experiments held its first Panel Meeting on 21 October 1994, at the Cincinnati Regal Hotel, 141 West 6th Street, Cincinnati, Ohio. The meeting's agenda is at Tab A. The written agenda of the meeting was not followed. Additional witnesses testified before the Committee Panel and witnesses testified in a different order than indicated on the agenda. The Committee Panel consisted of the Dr. Reed Tuckson, Dr. Mary Ann Stevenson, and Ms. Lois Norris.

2.0 SUMMARY OF MEETING, 21 October 1994

Special Assistant for Committee and Staff Affairs, Mr. Jerry Garcia called the meeting to order. Dr. Reed Tuckson, Outreach Subcommittee Chairman presided over the meeting. Dr. Tuckson reviewed the history and current goals of the full Committee and the Panel Meetings. Dr. Tuckson presented the rules of conduct for the day which gave each speaker or groups of witnesses seven minutes to speak. Witnesses were encouraged to only use four minutes for the presentation and reserve the remaining time for questions. Ohio Representative Robert Portman and Dr. Joseph Steger, President of the University of Cincinnati both addressed the Panel as well as approximately 35 individuals representing themselves or groups of concerned citizens. The press was in attendance with CNN being the most notable representative. The audience consisted mostly of witnesses, press and staff. No more than 60 people were present at any one time. Most of the witnesses spoke about Dr. Saenger and the University of Cincinnati whole body irradiation study. However, witnesses were also present for such issues as Department of Energy (DOE) nuclear processing plants in southern Ohio, Oak Ridge National Laboratory experiments and other events located near Oak Ridge, Hanford (Washington) intentional releases, Atomic Veterans, and Department of Defense (DoD) funded research at Lackland Air Force Base.

3.0 REMARKS BY REPRESENTATIVE ROBERT PORTMAN

Representative Portman (Republican from Ohio) expressed his concern for his constituents who were part of the Saenger whole body irradiation experiments at the University of Cincinnati. He stated that the Committee's review of these experiments and the role of informed consent in the DoD contracts which funded them was especially important to him and his constituents. His interest in the Committee's findings is derived in part because the statute of limitations will not

allow a full review of these experiments for many families involved. Therefore, it is important the Committee also examine what compensation could be allowed these individuals. Representative Portman called for full disclosure in the Saenger experiments and for recommendations from the Committee for future safeguards for human subjects. He stated that he has had correspondence with the DoD on this topic and will provide copies to the Committee.

Dr. Tuckson thanked the Congressman and stated that his concerns were also the concerns of the Committee and will be addressed in the final report.

4.0 PUBLIC COMMENT: GROUP ONE

The witnesses are divided into four groups on the Agenda. The groups are for convenience and do not reflect coordination of the speakers by topic or theme.

4.1 Dr. Gwendon Plair, Chairman for Concerned Relatives of Cancer Study Patients (CROCESP), an advice group for families of participants in the Saenger experiment at the University of Cincinnati, spoke on behalf of himself and the members of his group. He expressed a need for just compensation due to the psychological and emotional damage to the families as well as medical costs. He also called for future safeguards for subjects in human experimentation.

4.2 Mrs. Doris J. Baker, family member of a participant in the Saenger experiment spoke on behalf of herself and her grandmother. She expressed her general concern about the duration of experiments and wanted assistance obtaining medical records for her deceased grandmother. She stated that her grandmother received a large dose of radiation for the treatment of renal and colon cancer. No informed consent was given, no signed informed consent documents exist. The only records she has been able to obtain are those for the radiation doses. All other records for her grandmother's treatment during the period 1962-1964 are missing.

4.3 Mr. Richard Casey, an Air Force veteran spoke on behalf of himself. Mr. Casey was involved in the Marshall Island cleanup at Awitoch in 1978. He received no pretests, no briefing, and no special training. He stated that throughout his time in the Marshall Island there were questionable safety practices in use. He protested the use of low level, undertrained personnel for this type of work.

4.4 Ms. Lisa Crawford, President of the Fernald Residents For Environmental Safety and Health (FRESH), spoke on behalf of FRESH. Ms. Crawford questioned the ties between Dr. Saenger, the DOE, and the DoD. She stated that while Dr. Saenger was receiving research money from both DOE and DoD he was acting as an expert witness for the DOE in civil courts. Based on his testimony many people were denied worker compensation claims and the Fernald residents lost a class action case in the civil courts regarding damage to the public during an intentional release at the Fernald Nuclear Facility. Ms. Crawford believes that Dr. Saenger withheld information to the courts, and believes that the residents of Fernald were also part of Dr. Saenger's radiation research. She requests that a study be conducted to determine the effects of radiation on the Fernald residents.

Dr. Tuckson indicated that interdepartmental relationships are a focus of the full Committee and will be addressed in the final report.

4.5 Mr. Herbert Varin, spoke on behalf of himself and his mother who was a subject in the Saenger experiment. Mr. Varin's mother had ovarian cancer in 1967 and received 200 RADs partial body irradiation from Dr. Saenger. He insisted that no informed consent was given even though there was a signed informed consent form in her files. He claimed that the consent forms were falsified.

4.6 Mr. Leslie Lynch, spoke on behalf of himself. Mr Lynch objected to Committee Member Dr. Russell's comment that military personnel should take participation in an experiment as part of duty. He stated that he was a human test subject during training with the Army at Lackland Air Force Base on 17 June 1957. He said he was not made aware of this until filing for a Department of Veterans Affairs (DVA) benefits claim for another reason. At that time the DVA provided him with a Form 1141 which stated exposure to radiation. The DVA, to spite this form, deigned his benefits claim. Mr. Lynch had no knowledge of the experiment at the time it was conducted and gave no consent. He requested a written apology for being entered into an experiment without his knowledge.

Dr Tuckson indicated that the Committee would follow up on his case and would be contacting him to obtain additional details.

5.0 PUBLIC COMMENT: GROUP TWO

5.1 Professor Martha Stephens spoke on behalf of the faculty at the University of Cincinnati. She was the principle author of the Junior Faculty Association Report of 1971 which reviewed Dr. Saenger's experiment. Professor Stephens stated that the Committee was offered all available patient records. She was offended that the Committee were requesting records again from today's speakers. Professor Stephens suggested that the Committee read all the reports including patient histories because only with that information can they adequately judge this experiment. Of the 88 individuals who participated in Dr. Saenger's experiment, 25 died within one month of being irradiated. Thirty one individuals were given a dose of 150 RADs or above. At least 13 died from the radiation they received, not cancer. Professor Stephens questioned why this experiment continued for eleven years. She asserted that not all of the patients were seriously ill at the time they were irradiated and that there has been a 22 year cover up on this issue. To date the Medical College has admitted no wrong doing and the Ohio State Medical Board has not investigated the doctors involved in the research.

5.2 Ms. Lilian Pagano, Mr. Bob Phillips, and Ms. Cherie Brabant spoke on behalf of themselves and their deceased mother. They spoke about their feelings about their mother's death and her participation in the Saenger experiment. They said they felt angered, saddened, depressed and ashamed of their country. They said that the experiment was a total secret and that their mother was performing light house work and taking care of three children the day before she went in for the fatal dose of irradiation.

5.3 Ms. Otisteen Goodwin spoke on behalf of herself and her deceased mother. Ms. Goodwin's mother died in 1966 at 47 years of age, with five surviving children. She and her family were not informed of her participation in an experiment funded by the DoD. Mrs. Goodwin feels cheated out of a mother and is saddened and angered by the knowledge of her participation in an experiment.

5.4 Mr. Clifford Tidwell spoke on behalf of himself and his deceased father. Mr. Tidwell was angered that his father was part of an experiment. He stated that his father could not have signed a consent form because he did not know what radiation was and was not able to read or write. His father Mr. James Tidwell died in 1960 from lung cancer 32 days after being irradiated. Mr. Tidwell believed that the doctors conducting the experiment kept parts of his father's body upon his death without the families permission or knowledge. Mr. Tidwell stated that he is not going to stop inquiring into this experiment until he finds out why all this was done to his father. Mr. Tidwell would like assistance in locating his father's medical records. He stated that it has been difficult to obtain any records and the ones he has found appear to be tampered with (e.g., whited out information and illegibility).

5.5 Mr. Owen Thompson spoke on behalf of himself. Mr. Thompson was a "special project" worker at a local fusion processing plant. He was ashamed of some of the duties he performed as a routine part of his job. Two such activities were burying an entire contaminated building in the middle of the night, and illegally dumping contaminated waste. He stated that the first inspection of one project facility did not occur until after the project was running for two years. At this time the inspector locked up the facility and ordered it covered in lead. Because of the hazardous work that he undertook and the lack of safety standards Mr. Thompson has had two brain tumors, his left ear cut off and a burnt larynx. At one point in his treatment he was referred by a DOE Agency to Dr. Saenger. During this visit Dr. Saenger took parts of his medical files and he has not been able to retrieve them.

6.0 PUBLIC COMMENT: GROUP THREE

6.1 Dr. Joseph Steger, President of the University of Cincinnati, and Mr. Stan Chesley, former Chairman of the Board, University of Cincinnati, spoke to the Panel as representatives of the University. Dr. Steger stated that the University has been able to identify 83 of the 88 patients who participated in the Saenger experiments and that the university has taken several steps to notify these individuals. First the University attempted to contact the families of the patients at the last known address. Second the University set up a toll free hotline. Third the University hired a collection agency to search for the families. Mr. Chesley stated the University has made all the information it has on the Saenger experiment available to the public. This material is open for review at any time. The University completed an exhaustive search of all its records and ordered every office and employee of the University to hand over any documents related to these experiments.

The quality of some of these documents are unclear because of the age of the documents and the transfer from microfiche to paper. Dr. Steger asserted that he and his staff were trying to be as helpful to the Committee and the public as possible even though the University and the

hospital at which the experiment took place are under different ownership than at the time of the experiments.

Dr. Steger indicated that the University had identified additional documents that were not previously submitted to the Committee and that these documents would be submitted to the Committee that day.

6.2 Mr. David Thompson spoke to the Panel as a representative of the White, Getgey & Meyer Law Firm representing the families of the patients involved in the Saenger experiments. He indicated that this was an unethical experiment and that the families should be compensated for the harm done to them and their family member.

6.3 Mr. Kenneth Kendall, a member of the National Association of Atomic Veterans and Radiation Survivors, spoke on behalf of himself. He was present at UPSHOT KNOTHOLE. He objects to the use of soldiers as guinea pigs and feels that though the service of these individuals is known it is being ignored. There should be no difference between a civilian and a military guinea pig. He requested that the Atomic Veterans be included in the consideration of the Committee. He likened the U.S. experiments to those of Nazi Germany during World War Two (WWII). He also requested help in obtaining more of his personnel records with are currently classified material which he has been unable to gain access to.

6.4 Mr. Tom Wilkinson spoke on behalf of himself. Mr. Wilkinson discussed the environmental exposure that residents of Pike County have received though environmental exposures from a DOE facility. He also expressed anger and concern regarding Dr. Saenger's role in area court cases regarding compensation claims. He expressed a desire for the Committee to actively investigate this area and bring to light the truth. To date the media has not given these issues any attention and has not reported the facts.

6.5 Mr. Tom Row, Manager for Martin Marietta Energy Systems Human Studies Project for DOE's Oak Ridge National Laboratories spoke on behalf of the Oak Ridge National Laboratories and discussed the Martin Marietta contract to support the Committee in its investigation of human radiation experiments. Mr. Row gave a brief history of DOE's involvement at Oak Ridge, DOE's role in supplying isotopes to medical facilities and the current ongoing investigation into the human radiation experiments conducted at Oak Ridge.

6.6 Mr. Joe Larkins spoke on behalf of himself and his deceased father. Mr. Larkins was angered that the doctors and the hospital were well compensated for the experiments conducted by Dr. Saenger but the patients involved were not compensated at all. Mr. Larkins expressed sadness and anger about these experiments and his father's participation in them.

6.7 Ms. Monica Ray spoke on behalf of herself and her deceased grandmother. Ms. Ray gave an emotional and compelling story of her grandmother and the relationship between the two. She expressed sadness and anger at the unknowing participation of her grandmother in the Saenger experiments.

7.0 PUBLIC COMMENT: GROUP FOUR

7.1 Mr. Gene Branham, Vice-President of Labor Council, spoke to the Panel on behalf of himself and as a union representative for the Fernald site, Federal Atomic Nuclear Workers. Mr. Branham discussed the "body snatching" program of DOE. He expressed outrage and frustration that this program continues to be secret. According to Mr. Branham the "body snatching" program is a study of nuclear workers after death. The goal is to determine the extent and type of damage done to the body from radioactive materials. The unethical aspect of this study is that DOE takes bodies without the permission of the deceased, or his/her family. In addition, because this program is secret, the medical information derived from the program is not disseminated to the workers or the general public. He expressed concern that the Committee would not have the courage to bring this issue to light when so many other government officials and boards have failed in the past.

7.2 Mrs. Dorothy Swenty and Mrs. Pat Wheeler spoke to the Panel on behalf of themselves and their brother. Their brother was an atomic veteran and participated in UPHOT KNOTHOLE. He was unable to ever get compensation for his participation in the tests and has since died. Ms. Swenty read a touching poem her brother wrote before he died and asked the Committee to recommend a memorial in the desert for her brother and his fellow soldiers.

7.3 Mr. Robert Hager and Mrs. Katherine Hager spoke to the Panel on behalf of themselves and Mrs. Hager's father, Joseph Mitchell. Mr. Mitchell was a patient in Dr. Saenger's experiments. He died of lung cancer in 1963. The Hagers expressed frustration in obtaining information regarding their father's care and the medical records associated with it. They stated that it was not possible for their father to have given informed consent and were angry at his participation in the experiment.

7.4 Mr. William Cummins, Kentucky State Representative for Atomic Veterans, spoke to the Committee on behalf of himself and other veterans in Kentucky. He stated that he was able to obtain some DVA compensation for the accompanying medical problems of participating in the weapons tests but most veterans have not. He has been unable to access personal medical data that the military collected because these tests were classified. He asserted that while the government knew that dangers existed for the troops, adequate safety measures were not implemented and no additional training was administered.

7.5 Mr. Manuel Blaz and Mrs. Ruth Blaz spoke on behalf of themselves and their children. The Blaz family spoke to the Committee on 13 September 1994 and told of the experiments conducted on their children at 9 months and 4 years of age, at the University of Chicago. At that hearing no questions were asked of the couple and the Committee went immediately into a prioritization of issues to research. This angered the Blaz family. They were outraged that at this hearing children were put last on the Committee's list of priorities. They stated that children should come first and that the entire discussion was an insult to them and the rest of the nation.

Dr. Tuckson assured the Blaz family that each item on the list is equally important and referred them to the final interim report which moved the research of experiments on children up to number three.

7.6 Ms. Jackie Kittrell is an attorney near Oak Ridge, Tennessee, and represents the American Environmental Health Studies Project, an activist organization. Ms. Kittrell asked the Committee to hold a field hearing in the Oak Ridge area for the people that her organization represents. She read to the Panel a list of individuals and the topics that they would like to discuss before the Panel.

7.7 Ms. Mary Mueller and Ms. Ann Hopkins presented the history of Ms. Anne Hopkins. Because of her medical condition Ms. Hopkins was unable to speak. Ms. Mueller detailed Ms. Hopkins' childhood at Hanford, Washington. She told a story of having to wear dog tags to school for identification in case of a nuclear attack. She told of wandering the fields around her home and finding dead or wounded animals and caring for them. Finally she told of her father, who was a scientist at the Hanford plant, who committed suicide, she believes because of the work he was doing at Hanford. After one year of living in Hanford Ms. Hopkins showed signs of radiation exposure.

7.8 Mr. Darryl Kimball spoke on behalf of the Physicians for Social Responsibility. This organization was interested in determining what outreach efforts were being made by the Committee to contact individuals involved in human radiation experiments. In particular the organization was interested in what is being done with the Hotline information being collected.

Dr. Tuckson stated that all individuals who testify before the Outreach Panel will have their cases followed by a Committee staff member. The Panel will have three scheduled field hearings and at each of the Committee hearings there is a segment for public comment. In addition, Committee staff and Committee members are holding smaller, more informal meetings with other groups and organizations concerned about human radiation experiments. Individuals from the Hotline are being contacted either by DOE or by the other government organizations participating in the review of human radiation experiments.

7.9 Ms. Vina Colley, representative of the Portsmouth/Piketon Residents for Environmental Safety and Security spoke on behalf of herself and the Portsmouth/Piketon residents. Ms. Colley was an electrician with a Portsmouth Uranium Enrichment Facility. She stated that during her employment at the facility she became contaminated. She believes she was fired, before she became seriously ill, because she complained about the safety of the facility. Ms. Colley asserted that the facility still does not meet safety standards and that the workers are not properly educated or protected from the hazardous with which they work. She expressed anger that such a plant could operate and employ so many people and have such a disregard for human life.

7.10 Ms. Diana Salisbury spoke on behalf of the Portsmouth/Piketon Residents for Environmental Safety and Security. She clarified some of the testimony of earlier witnesses regarding the relationship of DOE to the nuclear facilities in the area. She discussed the current legislation that has transferred the responsibility for the safety of such facilities away from DOE and contractors to "no one." She shared photos with the Panel of environmental hazards that some of the witnesses had discussed.

Dr. Tuckson requested that Ms. Salisbury keep in contact with the Committee to further discuss what recommendations the Committee could provide the Interagency Working Group regarding these issues.

7.11 Mr. Geoffrey Sea from the International Radiation Injury Survivors group, spoke to the Panel about the irresponsibility of DOE in operating its nuclear facilities. He compared the human radiation experiments as akin to the experiments conducted in Nazi Germany during WWII. Mr. Sea expressed anger about the lack of safe guards for nuclear facility workers and the unethical "body snatching" program.

8.0 The Panel Meeting was adjourned at 6:00p.m. with closing remarks by Dr. Reed Tuckson. The witnesses who presented information were encouraged to keep in contact with the Committee for follow-up questions and other types of input.

Kim Randall
DoD Research Liaison
RECC

ADVISORY COMMITTEE ON HUMAN RADIATION EXPERIMENTS
PANEL MEETING
OCTOBER 21, 1994

The Regal Cincinnati Hotel ♦141 West Sixth Street ♦ Cincinnati, Ohio

AGENDA

Friday, October 21

- 9:00 AM Call to Order
Jerry Garcia, Special Assistant for Committee and Staff Affairs
- 9:05 Welcome and Orientation to Meeting
Dr. Reed Tuckson, Panel Chair
Dr. Mary Ann Stevenson, Committee Member
Ms. Lois Norris, Committee Member
- 9:15 Remarks by Rep. Rob Portman
- 9:30 Public Comment: Group One
- Dr. Gwendon Plair
 - Mrs. Gloria Nelson
 - Mrs. Doris Jean Baker
 - Mrs. Lisa Crawford
 - Mr. Herbert Varin
 - Mrs. Beverly Bell
 - Mrs. Troy Beasley
- 10:45 Break
- 11:00 Public Comment: Group Two
- Ms. Martha Stephens
 - Ms. Madge Spanagel
 - Ms. Lillian Pagano
 - Mr. Bob Phillips
 - Ms. Betty Allen
 - Ms. Ostena Gudwin
- 12:15 PM Lunch

1:15 Public Comment: Group Three

- Dr. Joseph Steger, President, University of Cincinnati
- Mr. David Thompson, and Mr. Geoffrey Sea
- Mr. Mike Jaekel
- Ms. Jackie Gains
- Mr. Garnell Johnson, Jr.
- Mr. Kenneth Kenball

2:45 Break

2:55 Public Comment: Group Four

- Mr. Gene Branham
- Mrs. Dorothy Swenty
- Mr. Leslie R. Lynch
- Mr. Richard Casey
- Mrs. Pat Wheeler
- Mrs. Emma Craft
- Ms. Jackie Kittrell, Esq.

4:10 Break

4:20 Public Comment: Group Five

- Mrs. Jean Ralph
- Dr. Kathleen Platoni
- Ms. Ann Hopkins
- Ms. Diana Salsbury
- Ms. Vina Colley
- Mr. and Mrs. Blaz

5:30 Meeting Adjourned

↔ Information for Public Comment Participants ↔

- All participants should check in with Committee staff upon arrival.
- Each participant will have five minutes for their statement, and an additional five minutes for discussion with the Committee members.
- Participants who wish to submit written statements or other documentation should deliver this material to Committee staff.