

TESTIMONY OF ANDREW E. FROSINI BEFORE
HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON ADMINISTRATIVE AND GOVERNMENT RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
FEBRUARY 2, 1994

MY NAME IS ANDREW E. FROSINI AND I AM A RESIDENT OF FORT MYERS, FLORIDA. I SERVED AS A U S ARMY AIR FORCE CADET DURING WORLD WAR II.

I WOULD LIKE TO EXPRESS MY APPRECIATION TO THE SUBCOMMITTEE FOR INVITING ME TO APPEAR HERE TODAY AND GIVE TESTIMONY AS TO MY EXPERIENCE SOME FORTY-NINE YEARS AGO. WHILE SERVING AS AN AIR COMBAT CREWMAN AT DREW FIELD IN TAMPA, FLORIDA, I WAS SUBJECTED BY THE MILITARY TO INVOLUNTARY TESTING WITH IRRADIATION THERAPY.

TO PROVIDE YOU WITH A PERSPECTIVE OF TIME, I WAS THEN TWENTY YEARS OLD- HAVING RETURNED FROM COMBAT DUTY ASSIGNMENT IN THE EUROPEAN THEATER OF OPERATIONS. IN JUNE OF 1945, I RETURNED TO THE UNITED STATES, AND I WAS GIVEN A ROUTINE PHYSICAL EXAMINATION WHICH CERTIFIED ME FOR CONTINUATION OF FLIGHT STATUS, BY THE FLIGHT SURGEON AT DREW FIELD. I HAD EXPRESSED NO COMPLAINTS AND HAD EXPERIENCED NO FEVER OR INFECTIONS OF ANY KIND. I CONSIDERED MYSELF TO BE IN EXCELLENT HEALTH. I WAS MAINTAINED ON FLIGHT STATUS CONTINUOUSLY THROUGH OUT THIS ENTIRE PERIOD TO THE POINT OF

DISCHARGE ON OCTOBER 25, 1945.

WHILE SERVING AT DREW FIELD, I WAS ORDERED TO UNDERGO A SERIES OF THREE IRRADIATION TREATMENTS THAT WERE ADMINISTERED DURING AUGUST AND SEPTEMBER OF 1945. I WAS GIVEN NO REASON FOR THE SERIES OF THREE TREATMENTS AND THERE WAS NO CONSENT ASKED OF ME, AND NONE WAS GIVEN EITHER BY EXPRESSED OR IMPLIED CONSENT.

THE FACT THAT THESE TREATMENTS TOOK PLACE IS EVIDENCED BY ORIGINAL COPIES OF MY RECORDS THAT I HAVE RETAINED IN MY POSSESSION. PHOTOCOPIES OF THESE ARE BEING PROVIDED AS EXHIBITS TO THIS STATEMENT. I WANT TO CHARACTERIZE FOR YOU THE CIRCUMSTANCES SURROUNDING THOSE EVENTS AS HAVING OCCURRED DURING A PERIOD OF WARTIME, WITHIN AN ENVIRONMENT OF STRICT DISCIPLINE. IT WAS NEVER ACCEPTABLE TO QUESTION ANY MILITARY ORDER.

I WANT TO EMPHASIZE THAT PRIOR TO RECEIVING THE IRRADIATION TREATMENTS, I HAD EXPERIENCED, NO SYMPTOMS OF SICKNESS, AND HAD MADE NO COMPLAINTS REGARDING MY HEALTH. ALSO, I WAS NOT INFORMED AS TO THE PURPOSE OF THE TREATMENTS. FURTHERMORE, I AM UNAWARE IF THERE WAS EVER ANY THERAPUTIC FOLLOW-UP AFTER THE IRRADIATION TREATMENTS THAT WERE GIVEN IN 1945.

THE ONLY HEALTH ISSUE THAT AROSE DURING MY MILITARY SERVICE PERIOD FROM JULY 1943 THROUGH OCTOBER 1945, WAS THE RESULT OF A MINOR BACK INJURY, WHICH WAS DOCUMENTED IN MY RECORD. TO WIT: ON NOVEMBER 20, 1944 THE AIRCRAFT TO WHICH I WAS ASSIGNED SUFFERED EXTENSIVE DAMAGE FROM ENEMY ANTI-AIRCRAFT FIRE WHILE ON A BOMBING RAID OVER BLECKHAMMER, GERMANY. I WAS STRUCK IN THE BACK BY A PIECE OF FLAK. THE ENTIRE CREW BAILED-OUT AND I RETURNED SAFELY TO MY HOME BASE OF OPERATIONS AND RESUMED REGULAR COMBAT STATUS OF ACTIVE FLIGHT DUTY. OF COURSE, I HAD A SORE BACK FOR A FEW DAYS, BUT FELT SO GLAD AND LUCKY THAT WE HAD AVOIDED CAPTURE, THE BACK INJURY WAS SOON FORGOTTEN.

WITHIN A YEAR AFTER DISCHARGE FROM ACTIVE DUTY, I BEGAN TO EXPERIENCE BACK PAINS AND FILED A CLAIM WITH THE VETERANS ADMINISTRATION. BY CURSORY EXAMINATION THE V A DOCTOR FOUND NO DISABILITY AND THE CLAIM WAS DENIED.

SHORTLY AFTER THAT, AND ALSO WITHIN THAT FIRST YEAR AFTER DISCHARGE, I DEVELOPED SINUS ALLERGIES AND WENT TO A PRIVATE PHYSICIAN FOR TREATMENT. DESPITE CONTINUOUS TREATMENT THIS ALLERGY PROBLEM HAS WORSENERED OVER OF THE PAST FORTY-NINE YEARS.

DURING THOSE POST MILITARY YEARS, FROM 1945 TO 1969, I WAS ABLE TO OPERATE A SUCCESSFUL FAMILY RESTAURANT BUSINESS IN ROCHESTER, NEW YORK. THROUGH ALL OF THOSE YEARS, I HAVE WONDERED IF PERHAPS THE IRRADIATION DOSES GIVEN TO ME IN 1945 COULD HAVE BEEN THE SOURCE OF MY ALLERGY PROBLEMS.

IN 1969, WHEN I WAS 45 YEARS OLD, I SUFFERED A MAJOR HEART ATTACK FOR WHICH I WAS HOSPITALIZED AT THE UNIVERSITY OF ROCHESTER, NEW YORK, GENESSEE HOSPITAL CAMPUS. FOLLOWING THIS I WAS PRONOUNCED PERMANENTLY AND TOTALLY DISABLED. SINCE 1969, I HAVE BEEN UNABLE TO WORK AND EARN ANY MONEY. I DID NOT FEEL THAT FILING ANOTHER CLAIM WITH THE V. A. WOULD BE ANY DIFFERENT THAN WAS MY EARLIER EXPERIENCE.

IN RECENT YEARS, I HAVE SUFFERED THE SECOND AND THIRD HEART ATTACKS REQUIRING HOSPITALIZATION AND CONVALESCENCE. I HAVE ALSO DEVELOPED SEVERE ARTHRITIS, DIABETES, AND SUFFERED A STROKE. THESE PHYSICAL PROBLEMS HAVE ALL REQUIRED EXPENSIVE MEDICAL TREATMENT AND COSTLY PRESCRIPTION MEDICATIONS IN ADDITION TO A DEBILITATED LIFESTYLE.

THE RECENT CHANGE IN GOVERNMENT POLICY, AS ANNOUNCED BY SECRETARY OF ENERGY, HAZEL O'LEARY, REVEALED THERE WAS GOVERNMENT APPROVED IRRADIATION TESTING PERFORMED ON HUMAN SUBJECTS. I DO NOT KNOW IF ANY OF THE OTHER CASES THAT HAVE BEEN IDENTIFIED THUS FAR IN ANY WAY RESEMBLE MY EXPERIENCE,

BUT I WOULD LIKE TO KNOW. I HAVE KEPT MY ORIGINAL DOCUMENT COPIES OF MY RECORDS AS EVIDENCE THAT IT HAPPENED. I HOPE YOU CAN SEE THAT OVER THE PAST FORTY-NINE YEARS I HAVE HAD STRONG REASON TO WONDER IF I HAD BEEN UNWITTINGLY USED AS A HUMAN GUINEA PIG IN 1945.

I HAVE LEARNED THAT AN EXECUTIVE ORDER WAS SIGNED BY PRESIDENT CLINTON, CALLING FOR THE APPOINTMENT OF A SPECIAL ADVISORY COMMITTEE, TO WORK WITH THE DEPARTMENT OF ENERGY TO INVESTIGATE THESE EARLY EXPERIMENTATIONS WITH RADIATION. I AM TOLD THAT APPOINTMENTS TO THIS ADVISORY GROUP WILL BE SELECTED FROM GOVERNMENT PHYSICIANS AND OTHER PROFESSIONAL EXPERTS IN THE FIELD OF RADIATION. I HOPE THAT YOU WILL INSIST THAT SOME OF THE APPOINTEES TO THAT ADVISORY GROUP MUST INCLUDE SUBJECTS THAT WERE ILLEGALLY TESTED.

IF IT IS DETERMINED THAT THE SUBJECTS USED IN THE IRRADIATION STUDIES ARE JUSTLY ENTITLED TO BE COMPENSATED FOR LOSSES THAT WERE CAUSED BY THIS INVOLUNTARY TESTING, I ASK THAT THE ISSUES BE REDRESSED QUICKLY. AT A MINIMUM, I THINK WE ALL DESERVE A FORMAL APOLOGY FROM OUR GOVERNMENT.

THANK YOU.