

JUSTICE FOR ATOMIC VETERANS  
ACT—H.R. 1286

**HON. LANE EVANS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 25, 1999*

Mr. EVANS. Mr. Speaker, on behalf on myself and Congresswoman BERKLEY, I am today introducing H.R. 1286 the Justice for Atomic Veterans Act. This important legislation provides a presumption of service-connection for certain radiation-related illnesses suffered by veterans who were exposed during military service to ionizing radiation. These veterans include those who participated in atmospheric testing of a nuclear device, who participated in the occupation of Hiroshima or Nagasaki between August 6, 1945 and July 1, 1946 and who were interned as prisoners of war in Japan during World War II and were therefore exposed to ionizing radiation.

During their military service, these veterans put their lives and health at risk. They were, in most cases, sworn to secrecy concerning the nature of their work. They were not provided with adequate protection from radiation. The amount of radiation to which they were exposed was not measured. Albert "Smoky" Parrish, a veteran who served at the Nevada test site wrote "We, the Atomic veterans feel like an innocent man in prison for life, and no one will listen to the facts of the case."

Under present law, veterans who engaged in radiation risk activities during military service are entitled to a presumption of service-connection for some illnesses, but for other illnesses veterans must prove causation by "dose reconstruction estimates" which many reputable scientists have found fatally flawed. Because of the recognized problems inherent in dose reconstruction, last year, the Department of Veterans Affairs Deputy Under Secretary for Health, Dr. Kenneth Kizer, wrote that he personally recommended strong support as a "matter of equity and fairness" for legislation similar to the Justice for Atomic Veterans Act which was then proposed by Senator WELLSTONE.

It is not the fault of veterans that accurate records of their exposure to ionizing radiation were not kept and maintained. In fact, many veterans have not been able to obtain their medical records relating to their exposure during military service despite their best efforts. Records have been lost and records of radiation-related activities were classified and not made available to the veterans seeking compensation.

According to Dr. Kizer, "the scientific methodology that is the basis for adjudicating radiation exposure cases may be sound, the problem is that the exposure cannot be reliably determined for many individuals, and it never will be able to be determined in my judgment. Thus, no matter how good the method is, if the input is not valid then the determination will be suspect."

Our atomic veterans were put in harm's way in the service of our government. However, our government failed to collect the data and provide the follow-up that would enable our atomic veterans to effectively pursue claims for the harm which resulted.

EXTENSIONS OF REMARKS

*March 25, 1999*

Further, Congresswoman BERKLEY and I agree with the statement in the 1995 final report of the Advisory Committee on Human Radiation Experiments: "When the nation exposes servicemen and women to hazardous substances, there is an obligation to keep appropriate records of both the exposures and the long-term medical outcomes."

Our Nation failed to keep records on the exposures experienced by our atomic veterans. Veterans should not suffer for that neglect. Let us right the injustices visited on our atomic veterans since the days of World War II. Congress should enact a presumption of service-connection for illnesses which are likely to be due to radiation risk activity. Our veterans deserve this simple act of justice.

PROTECTION OF AMERICAN WORKERS AND EMPLOYERS FROM MUSCULOSKELETAL DISORDERS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 25, 1999*

Mr. KUCINICH. Mr. Speaker, I rise to recommend that OSHA be enabled to continue its work on protecting American workers and employees by preventing Musculoskeletal injuries and other injuries at the workplace of America. An update of OSHA guidelines (which have been extensively and voluntarily used by employers for the last 10 years) is timely.

American employers currently spend \$15–20 billion/year on disability and absenteeism due to work-related musculoskeletal disorders, not considering the legal costs of law suits filed by employees. The total cost to the American society is about \$60 billion/year due to medical costs and lost productivity of injured employees.

The ergonomics of work is a well-studied field by scientists in academia and NIOSH and the conclusions from that research point that most musculoskeletal disorders caused by the unsound ergonomic practices could be avoided if guidelines by OSHA were implemented at the workplace, thus protecting workers from un-necessary suffering and saving money for employers. While the regulations by OSHA may be improved and made more efficient, flexible and responsive to the needs of a particular employer, OSHA's capability to protect American workers and employers should be maintained.

I believe that the costs of efficient OSHA regulations for protecting workers from musculoskeletal injuries are minuscule in comparison with the cost of maintaining the status quo and continuity of costly musculoskeletal injuries in the workplace.

HONORING JACK STARK UPON HIS RETIREMENT

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 25, 1999*

Mr. DREIER. Mr. Speaker, Jack Stark, the President of Claremont McKenna College,

after nearly three decades of outstanding leadership, is retiring in July of this year. He will be succeeded by Pamela Brooks Gann, currently Dean of Duke University School of Law.

For thirty years, the world of higher education has been roiled by change. The free speech movement of the 1960's, the first challenge to campus authority, was succeeded by demands for black and other ethnic studies, by the anti-war movement, by sit-ins and violent demonstrations against ROTC. Then came contests over affirmative action in admission and faculty hiring, the challenge to courses in Western Civilization, "Gay Rights," and the passions aroused by "political correctness." Throughout this turmoil, Claremont McKenna College, unlike so many other academic institutions, has held firmly to its founding mission—and it has prospered mightily.

Jack Stark kept CMC on course through these stressful years, built its endowment, raised admission standards, and recruited distinguished faculty. If this were the sum of Jack Stark's achievement, we would honor him as one of the nation's great academic leaders. It is not only as a conservator, however, but also as an educational innovator that he deserves our attention.

Jack Stark built on the campus of CMC—a small, private, undergraduate liberal arts college—nine research institutes, each different in its scholarly focus, but each contributing to the education of CMC's one thousand students.

The first to be founded was The Henry Salvatori Center for the Study of Individual Freedom in the Modern World. The Salvatori Center supports the study of the conditions essential to the preservation of liberty, and under its directors, Ward Elliott, Ralph Rossum and Charles Kesler, has contributed vigorously to intellectual debate.

The Rose Institute of State and Local Government, which was founded 25 years ago this April, specializes in survey research, fiscal analysis, and database development. The Institute authors studies of political and demographic trends, and its student team is trained in many aspects of computer-aided research. Its Board Chairman, Al Lunsford, refers to it as an "unmatched resource of data and analysis in its geographical area of focus," and under its long-time director, Dr. Alan Heslop, the Institute has built a formidable reputation.

The third to be founded was The Institute of Decision Science, which provides practical experience in economic and mathematical modeling, decision-making, and risk analysis for industry, government and the professions. It sponsors research and presents conferences on topics in decision science. IDS and its director, Janet Myhre, are frequently consulted by government agencies and major industrial corporations.

Next to be founded was The Lowe Institute of Political Economy. Initially under the direction of Dr. Craig Stubblebine, now headed by Dr. Sven Arndt, the Lowe Institute supports the study of major issues in economic policy. Recent work has focused on the North American Free Trade Agreement, APEC and on trade and regulatory policies.

The Keck Center for International and Strategic Studies was founded to support the study of critical issues in world affairs by sponsoring lectures, fellowships, visiting scholars,