

NUCLEAR WORKERS COMPENSATION PUBLIC MEETING

JUNE 3, 2002

6:00 - 8:00

OAK RIDGE MALL CUMBERLAND ROOM

FACILITATOR: MR. BARRY LAWSON

MR. MICHAEL HOLLAND, ACTING MANAGER, OAK RIDGE
OPERATIONS, U.S. DEPARTMENT OF ENERGY

PANELISTS:

MS. BEVERLY COOK, ASSISTANT SECRETARY FOR ENVIRONMENT,
SAFETY AND HEALTH, U.S. DEPARTMENT OF ENERGY

MR. PETER TURCIC, DIRECTOR, ENERGY EMPLOYEES
OCCUPATIONAL ILLNESS COMPENSATION PROGRAM OFFICE, U.S.
DEPARTMENT OF LABOR

MR. DAVE SUNDIN, DEPUTY DIRECTOR, OFFICE OF
COMPENSATION ANALYSIS AND SUPPORT, NATIONAL INSTITUTE
FOR OCCUPATIONAL SAFETY AND HEALTH (NIOSH)

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1 MR. LAWSON: GOOD EVENING, LADIES AND
2 GENTLEMEN. WELCOME TO THIS MEETING ON THE
3 FEDERAL NUCLEAR WORKER COMPENSATION PROGRAM.
4 TONIGHT'S MEETING IS BEING HELD TO PROVIDE YOU
5 WITH INFORMATION ON THAT PROGRAM AND TO SEEK
6 COMMENTS ON HOW TO IMPROVE THE IMPLEMENTATION
7 OF THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
8 COMPENSATION PROGRAM ACT. AS YOU PROBABLY
9 KNOW, THAT ACT PROVIDES UP TO A HUNDRED AND
10 FIFTY THOUSAND DOLLARS TO WORKERS MADE ILL AS A
11 RESULT OF THEIR WORK AT FACILITIES IN THE
12 DEPARTMENT OF ENERGY NUCLEAR WEAPONS COMPLEX.
13 MY NAME IS BARRY LAWSON AND I'LL BE MODERATING
14 THIS MEETING TONIGHT. I'M NOT AN EMPLOYEE OF
15 NOR AN ADVOCATE FOR THE DEPARTMENT OF ENERGY OR
16 THE DEPARTMENT OF LABOR. AS NEUTRAL AND
17 INDEPENDENT MODERATOR, I HAVE BEEN ASKED TO RUN
18 THIS MEETING IN A FAIR, EFFICIENT AND IMPARTIAL
19 MANNER. I RECOGNIZE THAT DESPITE THE FACT THAT
20 SEVERAL MILLION DOLLARS HAVE BEEN AWARDED TO
21 OAK RIDGE WORKERS UNDER THIS ACT, THERE ARE
22 MANY OF YOU WHO HAVEN'T YET RECEIVED, PERHAPS
23 EVEN APPLIED FOR, FUNDS. THIS MEETING IS NOT
24 INTENDED TO ADDRESS THE INDIVIDUAL ISSUES THAT
25 EACH OF YOU MAY HAVE, BUT PROVISIONS HAVE BEEN

1 MADE FOR YOU TO SIGN UP THIS EVENING FOR A
2 PERSONAL INTERVIEW ON YOUR PARTICULAR CASE AT
3 THE LOCAL OFFICE. CERTAINLY, IF YOU HAVE
4 THOUGHTS ON HOW THE SYSTEM CAN BE IMPROVED, WE
5 WILL HAVE TIME TO HEAR THEM. THE SCHEDULE
6 TONIGHT; AFTER MY BRIEF COMMENTS, MIKE HOLLAND,
7 WHO IS THE ACTING OAK RIDGE OFFICE AREA
8 MANAGER, WILL WELCOME YOU AND SAY A FEW WORDS
9 ABOUT THIS PROGRAM AND MEETING. THEN I'LL ASK
10 THE PANEL MEMBERS FOR THEIR COMMENTS. EACH HAS
11 AN AREA OF RESPONSIBILITY RELEVANT TO THESE
12 PROGRAMS AND YOU WILL HAVE THEM SPEAK TO YOU
13 BRIEFLY ABOUT THEIR RESPONSIBILITIES IN THEIR
14 PROGRAMS. I'LL INTRODUCE THEM FIRST NOW AND
15 AGAIN AS THEY SPEAK. TO MY IMMEDIATE RIGHT IS
16 PETER TURCIC AND MR. TURCIC IS THE DIRECTOR OF
17 THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
18 COMPENSATION PROGRAM OFFICE OF THE UNITED
19 STATES DEPARTMENT OF LABOR. IN THE MIDDLE IS
20 BEVERLY COOK, WHO IS THE ASSISTANT SECRETARY
21 FOR ENVIRONMENTAL SAFETY AND HEALTH WITH THE
22 UNITED STATES DEPARTMENT OF ENERGY. AND TO HER
23 RIGHT IS DAVE SUNDIN, WHO IS THE DEPUTY
24 DIRECTOR OF COMPENSATION ANALYSIS AND SUPPORT
25 OF THE NATIONAL INSTITUTE FOR OCCUPATIONAL

1 SAFETY AND HEALTH. I'LL ASK THEM TO STAY
2 WITHIN FIVE OR SIX MINUTES APIECE IN THEIR
3 PRESENTATION SO WE WILL HAVE AMPLE OPPORTUNITY
4 FOR YOUR RESPONSE, COMMENTS AND SUGGESTIONS.
5 WE WILL CONTINUE THIS SO-CALLED FORMAL PART OF
6 THIS MEETING WITH YOUR COMMENTS UNTIL ABOUT
7 EIGHT O'CLOCK. BUT ALL THE PANEL MEMBERS HAVE
8 ASSURED ME THEY WILL REMAIN AS LONG AS
9 NECESSARY THEREAFTER TO RESPOND TO INDIVIDUAL
10 QUESTIONS THAT YOU MAY HAVE FOR THEM. RIGHT
11 NOW LET ME INTRODUCE TO YOU MIKE HOLLAND FOR
12 BRIEF INTRODUCTORY COMMENTS. MR. HOLLAND.

13 MR. HOLLAND: THANK YOU, BARRY. GOOD
14 EVENING AND WELCOME TO THIS PUBLIC MEETING ON
15 BEHALF OF THE OAK RIDGE OPERATIONS OFFICE. I'M
16 REALLY GLAD TO SEE SUCH A LARGE TURNOUT TONIGHT
17 AND I HOPE THIS IS A VERY PRODUCTIVE MEETING
18 FOR YOU. WE HAVE A VERY DISTINGUISHED PANEL
19 HERE WITH US TONIGHT. I THANK THEM FOR COMING
20 TO SPEND THE TIME WITH US IN OUR COMMUNITY TO
21 TAKE YOUR INPUT TONIGHT. AND I ALSO WANT TO
22 THANK YOU, THE FORMER WORKERS, CURRENT WORKERS
23 AND FAMILIES HERE IN THE OAK RIDGE AREA. THIS
24 REALLY IS ABOUT YOU, ABOUT FAMILY, ABOUT
25 FRIENDS AND ABOUT WORKERS, CO-WORKERS, AND IT

1 IS IMPORTANT THAT WE GET INPUT FROM YOU TONIGHT
2 ON HOW WE CAN MAKE OUR COMPENSATION PROGRAM
3 HERE AT OAK RIDGE A BETTER ONE. I DO ALSO WANT
4 TO THANK THE MANY PEOPLE WHO WORK IN THE
5 VARIOUS OFFICES AROUND THE OAK RIDGE AREA, THE
6 Y-12 AREA OFFICE, THE OAK RIDGE OPERATIONS
7 OFFICE, OUR CONTRACTORS AND THE RESOURCE
8 CENTER. THOSE PEOPLE WHO WORK WITHIN THIS
9 PROGRAM. I ALSO WANT TO POINT OUT TO YOU THAT
10 YOUR CONGRESSIONAL DELEGATION IS VERY WELL
11 REPRESENTED HERE THIS EVENING. FOR CONGRESSMAN
12 ZACH WAMP'S OFFICE; HELEN HARDIN, CHIEF OF
13 STAFF. AND REGINA BROOM, STAFF ASSISTANT, ARE
14 HERE. REPRESENTING CONGRESSMAN JIM DUNCAN IS
15 DEAN RICE, SENIOR LEGISLATIVE ASSISTANT.
16 REPRESENTING CONGRESSMAN VAN HILLEARY IS PAUL
17 CHAPMAN, THE DISTRICT DIRECTOR. REPRESENTING
18 CONGRESSMAN BOB CLEMENT IS CAROLINE NEILSON.
19 AND REPRESENTING SENATOR THOMPSON IS CINDY
20 LEMONS. I ALSO WANT TO, I'M SORRY, I APOLOGIZE
21 IF I HAVE MISSED SOMEONE BECAUSE I THINK
22 PERHAPS I HAVE. I ALSO WANTED TO EXTEND A
23 THANK YOU TO CONGRESSMAN WAMP'S STAFF IN
24 PARTICULAR FOR THE ENCOURAGEMENT THAT THEY HAVE
25 GIVEN US TO WORK THIS PROGRAM AGGRESSIVELY OVER

1 THE LAST FEW WEEKS. AGAIN I REALLY DO HOPE
2 THAT THIS IS A PRODUCTIVE MEETING FOR YOU AND
3 FOR US AS WELL AND I LOOK FORWARD TO HEARING
4 YOUR INPUT THIS EVENING. THANK YOU.

5 MR. LAWSON: THANK YOU, MR. HOLLAND.
6 LET ME REINTRODUCE THE THREE PANEL MEMBERS, ONE
7 AT A TIME, AS THEY SPEAK. I WOULD ASK YOU TO
8 PLEASE HOLD ANY COMMENTS OR QUESTIONS YOU HAVE
9 UNTIL THEY HAVE FINISHED AND THEN WE WILL HAVE
10 AN OPPORTUNITY FOR YOU TO GO TO ONE OF THE TWO
11 MICROPHONES THAT ARE THERE AND I'LL TAKE AS
12 MANY COMMENTS AS POSSIBLE. DON'T LINE UP QUITE
13 YET BECAUSE WE HAVE SOME PRESENTATIONS TO MAKE
14 FIRST. SO THAT YOU CAN BE PREPARED AND BECAUSE
15 OF THE LARGE NUMBER OF PEOPLE HERE, I'LL ASK
16 YOU TO MAKE YOUR COMMENTS OR QUESTIONS AS
17 CONCISE AND BRIEF AS POSSIBLE. AND SIMILARLY
18 WOULD ASK THE PANEL MEMBERS TO DO THE SAME. IT
19 IS IMPORTANT THAT EVERYONE HAS AN OPPORTUNITY
20 TO ASK A QUESTION. AND FOR THAT PURPOSE, I
21 WOULD ASK YOU TO ASK ONE QUESTION AND, IF
22 NECESSARY, A FOLLOW-UP TO THAT SPECIFIC
23 QUESTION, IF IT IS APPROPRIATE, BUT PLEASE NO
24 SECOND QUESTIONS UNTIL EACH PERSON HAS AN
25 OPPORTUNITY TO ASK HIS OR HER INITIAL QUESTION.

1 YOUR COOPERATION FOLLOWING THESE, HOPEFULLY,
2 PRACTICAL GUIDELINES IS MOST APPRECIATED. I
3 WOULD LIKE NOW TO REINTRODUCE TO YOU PETER
4 TURCIC, WHO IS THE DIRECTOR OF THAT LONG OFFICE
5 NAME, THE U.S. DEPARTMENT OF LABOR. MR.
6 TURCIC.

7 MR. TURCIC: THANK YOU VERY MUCH. IT IS
8 A PLEASURE TO BE HERE. WHAT I WOULD LIKE TO DO
9 IS WE ARE REALLY INTERESTED IF HEARING YOUR
10 INPUT, SO I'M JUST GOING TO BRIEFLY TALK ABOUT
11 THE DEPARTMENT OF LABOR'S PORTION OF THE ENERGY
12 EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION
13 ACT. AS YOU PROBABLY KNOW, THE THREE AGENCIES
14 WORK VERY CLOSELY TOGETHER IN ALL ASPECTS OF
15 THIS PROGRAM. AND THERE HAS BEEN VERY GOOD
16 COOPERATION WITH DEPARTMENT OF ENERGY AND WITH
17 NIOSH. JUST BRIEFLY, THE DEPARTMENT OF LABOR'S
18 PORTION COVERS FOUR DISEASES. RADIATION
19 CANCERS, CHRONIC BERYLLIUM DISEASE, BERYLLIUM
20 SENSITIVITY, CHRONIC SILICOSIS AND IT ALSO
21 GIVES SUPPLEMENTAL BENEFITS FOR URANIUM
22 WORKERS. THOSE WOULD BE MINERS, MILLERS, WAR
23 TRANSPORTERS WHO RECEIVE BENEFITS UNDER THE
24 RADIATION EXPOSURE COMPENSATION ACT
25 ADMINISTERED BY THE DEPARTMENT OF JUSTICE.

1 JUST SOME PROGRAM HIGHLIGHTS. THE PROGRAM WAS
2 ENACTED ON OCTOBER 30, 2000 AND BECAME
3 EFFECTIVE JULY 31, 2001, AT WHICH TIME
4 SECRETARY ELAINE CHAO PRESENTED THE FIRST CHECK
5 ON AUGUST 9, 2001. AND AS YOU KNOW, ONE OF THE
6 BIGGEST ISSUES THAT WE FACED IN IMPLEMENTING
7 THE LAW WAS THE ORIGINAL DEFINITION OF
8 SURVIVORS AND THAT WAS CHANGED, ALONG WITH SOME
9 OTHER MINOR CHANGES, IN AMENDMENTS THAT WERE
10 ENACTED ON DECEMBER 28, 2001. JUST BRIEFLY,
11 WHAT WE DID IN IMPLEMENTING THE PROGRAM, WE
12 DIVIDED THE COUNTRY UP INTO FOUR AREAS, WE HAVE
13 FOUR DISTRICT OFFICES. AND FOR OAK RIDGE THE
14 DISTRICT OFFICE IS IN JACKSONVILLE, FLORIDA AND
15 THE REGIONAL DIRECTOR OF THE OFFICE OF WORKERS
16 COMPENSATION, NANCY RICKER, IS HERE WITH ME
17 TONIGHT. IF YOU HAVE ANY QUESTIONS, YOU CAN
18 COME UP LATER AND WE CAN TRY TO ANSWER THEM FOR
19 YOU. FROM A NATIONAL BASIS, TO DATE, THIS IS
20 AS OF MAY 30TH, WE HAVE RECEIVED TWENTY-EIGHT
21 THOUSAND SEVEN HUNDRED AND NINETY-FIVE CLAIMS.
22 AND OF THOSE, EIGHTEEN THOUSAND ARE CLAIMING
23 CANCER. NINE HUNDRED AND EIGHTY-SIX BERYLLIUM
24 SENSITIVITY. NINE HUNDRED AND EIGHTY-ONE
25 CHRONIC BERYLLIUM DISEASE. FIVE HUNDRED AND

1 THIRTY-THREE FOR CHRONIC SILICOSIS. AND
2 THIRTY-THREE HUNDRED AND NINETY-SEVEN RECA
3 CLAIMS AND IN OTHERS ACCOUNT FOR FORTY-FOUR
4 HUNDRED AND SIXTY-FIVE. JUST SOME STATISTICS
5 RELATIVE TO THAT; THE CLAIMS THAT HAVE BEEN
6 PROCESSED TO A FINAL DECISION. SO FAR THERE IS
7 THIRTY-TWO HUNDRED AND EIGHTY-TWO CLAIMS THAT
8 HAVE BEEN APPROVED FOR BENEFITS AND NINE
9 HUNDRED AND FORTY-FIVE, AND THESE ARE FINAL
10 DECISIONS, FOR DENIAL OF BENEFITS. CLAIMS
11 PROCESSED WITH THE RECOMMENDED DECISION; AS YOU
12 PROBABLY KNOW, OUR PROCESS IS A RECOMMENDED
13 DECISION. THEN IF YOU DISAGREE WITH THAT, YOU
14 CAN EITHER WAIVE YOUR APPEAL OR YOU CAN ASK FOR
15 A HEARING AT THAT POINT IN TIME OR REVIEW OF
16 THE WRITTEN RECORD. AND THEN THE FINAL
17 ADJUDICATION BRANCH WILL GO AND MAKE A FINAL
18 DECISION, AT WHICH TIME IF YOU DISAGREE WITH
19 THAT FINAL DECISION, YOU CAN APPEAL THAT TO
20 FEDERAL DISTRICT COURT. AT THE RECOMMENDED
21 DECISION LEVEL WE HAVE HAD THIRTY-SEVEN HUNDRED
22 AND EIGHTY-EIGHT CLAIMS HAVE BEEN RECOMMENDED
23 DECISION TO APPROVE BENEFITS. AND TWENTY-EIGHT
24 HUNDRED AND EIGHT RECOMMENDED TO DENY. ONE
25 THING I WANT TO POINT OUT IS THAT THESE ARE

1 CLAIMS. FOR EXAMPLE, IF THERE ARE FOUR
2 SURVIVORS INVOLVED IN A CLAIM, SUCH AS A SPOUSE
3 AND THREE CHILDREN, WELL, UNDER THE AMENDMENTS,
4 IF THERE IS A SPOUSE, THE SPOUSE WOULD BE
5 ENTITLED TO THE BENEFITS, THE CHILDREN WOULD
6 NOT. IN THAT CASE THAT WOULD BE A RECOMMENDED
7 APPROVAL AND THREE RECOMMENDED DENIALS IN THAT
8 EXAMPLE. SO THE RECOMMENDED, AGAIN THE
9 DENIALS, THAT IS RELATIVE TO CLAIMS. THEN WE
10 HAVE CASES SENT TO NIOSH; FIVE THOUSAND FOUR
11 HUNDRED AND FORTY-ONE TO DATE. AND PAYMENTS
12 ISSUED; WE HAVE ISSUED TWENTY-NINE HUNDRED AND
13 SEVENTY-THREE PAYMENTS AND THAT IS ON
14 TWENTY-FIVE HUNDRED AND SIXTY-THREE INDIVIDUAL
15 WORKERS. AND THAT COMPENSATION PAID OUT TO
16 DATE HAS BEEN NEARLY TWO HUNDRED AND
17 TWENTY-FIVE MILLION DOLLARS. AT OAK RIDGE AT
18 THE FACILITIES AT OAK RIDGE, WE HAVE RECEIVED
19 FORTY-NINE HUNDRED AND TWO CLAIMS. THERE IS
20 NINE HUNDRED AND SIX REFERRALS TO NIOSH. OF
21 THOSE NINE HUNDRED AND SIX, THE BREAK DOWN IS
22 THAT FOUR HUNDRED AND EIGHTY-FIVE OF THEM ARE
23 FROM Y-12, TWO HUNDRED AND FORTY-TWO ARE FROM
24 K-25. SO K-25, IF AN INDIVIDUAL HAS A CANCER
25 THAT IS NOT ONE OF THE SPECIFIED CANCERS, THAT

1 DOES NOT MEAN THEY ARE NOT ELIGIBLE. WE DO A
2 DOSE RECONSTRUCTION AND PROCESS THE CLAIM JUST
3 AS WE WOULD PROCESS ANY OTHER RADIATION CANCER
4 CLAIM. AND A HUNDRED AND FIFTY-FIVE FROM X-10.
5 HERE WE HAD TWELVE HUNDRED AND EIGHTY-NINE
6 RECOMMENDED DECISIONS AND OF THAT SEVEN HUNDRED
7 AND THIRTEEN WERE RECOMMENDED DECISIONS TO
8 APPROVE BENEFITS. FIVE HUNDRED AND SEVENTY-SIX
9 TO DENY. OF THE RECOMMENDED DECISIONS TO
10 APPROVE BENEFITS, FOUR HUNDRED AND SEVENTY-FOUR
11 ARE FROM K-25, A HUNDRED AND EIGHTY-SIX FROM
12 Y-12 AND FIFTY-THREE FROM X-10. TO DENY; TWO
13 HUNDRED AND SIXTY-THREE FROM K-25, TWO HUNDRED
14 AND FORTY-EIGHT FROM Y-12 AND SIXTY-THREE FROM
15 X-10. FINAL DECISIONS; WE HAVE SEVEN HUNDRED
16 AND SIXTY-SIX FINAL DECISIONS FROM THE OAK
17 RIDGE FACILITIES. SIX HUNDRED AND ONE TO
18 ACCEPT, TO APPROVE BENEFITS, AND A HUNDRED AND
19 SIXTY-FIVE TO DENY. AND THAT BREAK DOWN IS
20 THREE HUNDRED AND NINETY-EIGHT ACCEPTANCES AT
21 K-25. A HUNDRED AND FIFTY-SIX AT Y-12,
22 FORTY-SEVEN AT X-10. AND ON THE DENYING,
23 SEVENTY-ONE AT K-25, SEVENTY-SEVEN AT Y-12,
24 SIXTEEN AT X-10. AND WE HAVE MADE FIVE HUNDRED
25 AND THIRTY-FOUR PAYMENTS, WHICH COVER THREE

1 HUNDRED AND SEVENTY-FOUR INDIVIDUAL WORKERS AT
2 THE OAK RIDGE FACILITIES. THE BREAK DOWN OF
3 THE MEDICAL CONDITIONS THAT HAVE BEEN CLAIMED
4 FROM THE OAK RIDGE FACILITIES; THIRTY-SIX
5 HUNDRED SEVENTY-EIGHT ARE CANCERS. TWO HUNDRED
6 AND TWENTY-ONE BERYLLIUM SENSITIVITY, A HUNDRED
7 AND TWENTY-THREE CHRONIC BERYLLIUM DISEASE.
8 TWENTY-THREE CHRONIC SILICOSIS AND SEVEN
9 HUNDRED AND SEVEN OTHER LUNG CONDITIONS. AND A
10 HUNDRED AND TWENTY-EIGHT RENAL DISORDERS, BUT
11 THAT IS ONLY COVERED UNDER THE RECA PROGRAM FOR
12 WAR TRANSPORTERS AND HAULERS. THANK YOU.

13 MR. LAWSON: THANK YOU, MR. TURCIC. I
14 WOULD NOW LIKE TO CALL ON BEVERLY COOK, WHO IS
15 THE ASSISTANT SECRETARY FOR THE ENVIRONMENTAL
16 HEALTH AND SAFETY AT DOE IN WASHINGTON.

17 MS. COOK: THANK YOU. I WOULD FIRST
18 LIKE TO SPEND A COUPLE OF MINUTES AND EXPLAIN
19 TO YOU WHO I AM. IT HAS BEEN A WHILE SINCE I
20 HAVE BEEN TO OAK RIDGE BUT I HAVE BEEN HERE
21 BEFORE. I HAVE BEEN HERE BECAUSE I ALSO, LIKE
22 YOU, ONE OF THE WORKERS IN THE DOE COMPLEX. I
23 STARTED WORK AT THE DEPARTMENT OF ENERGY AS A
24 CONTRACTOR IN 1975 AT THE IDAHO NATIONAL
25 ENGINEERING AND ENVIRONMENTAL LAB. I AM AN

1 ENGINEER. I WORKED IN REACTORS, I WORKED IN
2 PROCESSING FACILITIES, I'VE WORKED IN STORAGE
3 FACILITIES HERE AT OAK RIDGE. I WAS ACTUALLY
4 HERE WHEN WE WERE WORKING ON SPACE NUCLEAR
5 POWER SYSTEMS AND YOU BUILT SOME OF THE
6 COMPONENT PARTS FOR THAT HERE. I'VE WORKED IN
7 A LOT OF PLACES AROUND THE COMPLEX. WHEN WE
8 GET TO TALKING ABOUT RECORDS, I'M ONE OF THOSE
9 PEOPLE THEY ARE LOOKING FOR RECORDS FOR. I
10 HAVE MY RADIATION RECORDS, BUT IT IS HARD TO
11 TELL YOU WHERE I WAS AND WHEN I WAS PRETTY MUCH
12 ANYPLACE ELSE. I WORKED AS A CONTRACTOR FOR
13 FIFTEEN YEARS. I WENT THEN TO WASHINGTON, DC
14 AND WENT TO WORK FOR THE DEFENSE NUCLEAR
15 FACILITY SAFETY BOARD. I ALSO ENDED UP IN A
16 LOT OF FACILITIES BECAUSE OF THAT. AND THEN
17 WENT TO WORK FOR DEPARTMENT OF ENERGY AND HAVE
18 BEEN WITH THEM SINCE. WORKED IN THE OFFICE OF
19 NUCLEAR ENERGY ALL THE WAY UP THROUGH THE
20 PRINCIPAL DEPUTY THERE AND THEN JUST FINISHED
21 SPENDING A COUPLE OF YEARS DOING WHAT MIKE DOES
22 HERE, WHICH IS FIELD MANAGER OF THE IDAHO SITE.
23 I TAKE THAT JOB VERY SERIOUSLY, I TAKE THE
24 CURRENT JOB I HAVE VERY SERIOUSLY. AND THAT IS
25 LOOKING OUT FOR THE ENVIRONMENT SAFETY AND

1 HEALTH ISSUES ASSOCIATED WITH THIS COMPLEX. I
2 WANT TO ASSURE YOU ALL RIGHT NOW THAT THIS IS
3 PERSONAL FOR ME. I WAS IN IDAHO ABOUT SIX
4 WEEKS AGO AND SAID GOODBYE TO ONE OF MY FRIENDS
5 AND THAT'S VERY HARD TO DO AND I KNOW IT'S HARD
6 FOR ALL OF YOU TOO. A FRIEND WHO HAS CANCER
7 AND HAS QUIT TAKING HIS MEDICATION BECAUSE HE
8 HAS GOT A COUPLE OF WEEKS LEFT. IT IS ALWAYS
9 HARD FOR ME TO GET PAST THAT PART BECAUSE IT IS
10 REAL FOR ME. MY JOB RIGHT NOW IS TO MAKE SURE
11 PERSONALLY FOR ME TO MAKE SURE THAT THIS
12 COMPENSATION ACT WORKS AS BEST AS POSSIBLE. IT
13 IS GOOD FOR A START. IS IT PERFECT FOR
14 EVERYTHING? NO. BUT IT'S GOOD FOR A START AND
15 I'M REALLY PLEASED TO SEE IT IN PLACE. AS YOU
16 KNOW, THERE ARE SEVERAL PARTS TO THIS. THE
17 SUBPARTS A, B AND C HAVE TO DO WITH THE PROGRAM
18 THAT PETE JUST TALKED ABOUT. THERE IS SUBPART
19 D THAT IS STRICTLY DOE'S PART AND THAT IS THE
20 PART THAT DEALS WITH US ASSISTING WORKERS
21 WITHIN THE COMPLEX TO APPLY FOR A STATE WORKERS
22 COMP PROGRAM. JOSH, COULD YOU PUT THE NEXT
23 CHART UP? THIS IS GOING TO BE HARD FOR YOU TO
24 SEE. MAYBE WE CAN GET SOME COPIES AND PUT IN
25 YOUR RESOURCE CENTER HERE. THIS IS A FLOW

1 CHART THAT SHOWS, IT'S NOT GOING TO SHOW VERY
2 WELL HERE, THAT SHOWS HOW THIS WORKS AND WHEN
3 YOU COME IN WITH A CLAIM WHERE DOES IT GO AND
4 HOW DOES IT GO. PETE TALKED ABOUT THE THINGS
5 THAT GO INTO THE PART OF THE ACT THAT DEALS
6 WITH VERY SPECIFIC CASES OF THE CANCERS, THE
7 CHRONIC BERYLLIUM DISEASE AND SILICOSIS AND HOW
8 THAT GOES THROUGH. AND AS YOU ALL KNOW, HERE
9 THERE ARE SOME PEOPLE WHO ARE IN A SPECIAL
10 COHORT GROUP, THE GASEOUS DIFFUSION PLANT
11 SPECIFICALLY, WHERE DOSE RECONSTRUCTIONS ARE
12 NOT NECESSARY. IF YOU WORKED THERE FOR A
13 CERTAIN NUMBER OF DAYS, YOU HAVE THOSE KINDS OF
14 CANCERS, THEN YOU AUTOMATICALLY GO INTO THAT
15 PROGRAM. BUT ALL THE OTHER RADIATION-INDUCED
16 CANCERS ACROSS THE COMPLEX, WE HAVE TO DO DOSE
17 RECONSTRUCTIONS AND ALL OF THE THINGS THAT ARE
18 IN THE SUBTITLE D THAT DEPARTMENT OF ENERGY
19 DEALS WITH, WE MOVE THINGS INTO A PHYSICIANS'
20 PANEL WHERE WE HAVE DETERMINATIONS MADE OF
21 WHETHER THAT ILLNESS WAS CAUSED BY YOUR WORK
22 AND THEN WE HELP MOVE THAT INTO YOUR STATE
23 WORKERS COMP PROGRAM, WHICH VARY FROM STATE TO
24 STATE. WHEREAS, THE DEPARTMENT OF LABOR PART
25 OF THE PROGRAM HAD SPECIFIC DATES ASSOCIATED

1 WITH IT THAT IT HAD TO GET UP AND RUNNING, THE
2 PART THAT DEPARTMENT OF ENERGY IS RESPONSIBLE
3 FOR HAD TO GO THROUGH RULE-MAKING. RULE-MAKING
4 IS A VERY PUBLIC PROCESS IN THIS COUNTRY AND IT
5 REQUIRES PUBLIC MEETINGS, IT REQUIRES INPUT.
6 WE HAD REQUESTS FOR EXTENSIONS TO EXTEND THE
7 PUBLIC COMMENT PERIOD, THAT TOOK TIME ALSO. WE
8 HAD TO ANSWER ALL THE PUBLIC COMMENTS. WHERE
9 WE ARE NOW FINALLY IS THAT WE HAVE DRAFTED UP
10 OUR FINAL VERSION OF THE RULE WHICH
11 INCORPORATED AND ADDRESSED EVERYBODY'S COMMENTS
12 THAT CAME IN. WE HAVE SENT IT TO THE OFFICE OF
13 MANAGEMENT AND BUDGET AND THEIR RESPONSIBILITY
14 IS TO GET IT BACK OUT TO THE OTHER AGENCIES FOR
15 THEM TO LOOK AT. IT'S COME BACK AND WE ARE IN
16 THE FINAL STAGES OF WORKING ON THE WORDS THAT
17 ARE IN THAT. I'M VERY HOPEFUL THAT THAT RULE
18 GETS OUT AND ON THE STREET RIGHT AWAY BECAUSE,
19 IN FACT, WE HAVE OVER ELEVEN THOUSAND CLAIMS
20 FROM FOLKS THAT WE HAVE SITTING THERE WAITING
21 TO GO AS SOON AS THAT PHYSICIAN PANEL RULE
22 COMES OUT. IT IS AS FRUSTRATING TO ME AS IT IS
23 TO THE REST OF YOU THAT THIS RULE-MAKING
24 PROCESS IS LENGTHY, BUT IT IS. IT IS NOT
25 BECAUSE WE HAVE NO INTEREST IN MOVING FORWARD

1 ON THESE. I WANT THIS TO HAPPEN NOW, I WANT TO
2 GET IT DONE QUICK AND I WANT TO MOVE FORWARD
3 WITH THESE CLAIMS. TWO PARTS; LET ME JUST SAY
4 RIGHT NOW, ONE IS WE NEED TO MOVE FORWARD ON
5 THE CLAIMS RIGHT NOW. WE NEED TO MOVE FORWARD
6 WITH THIS ACT AND HOW THIS IS WORKING FOR THOSE
7 OF YOU WHO ARE IN THIS ROOM HERE WHO ARE
8 CURRENT WORKERS, WHAT I WANT TO MAKE SURE
9 HAPPENS, AND I WANT TO HAVE A PART OF, IS TO
10 MAKE SURE IN THE FUTURE WE DEAL WITH THIS IN A
11 MORE RIGOROUS WAY. FOR INSTANCE, I HAVE BEEN
12 SUGGESTING THAT WE PUT INTO OUR CONTRACTS WITH
13 THE CONTRACTORS TO DOE RECORD-KEEPING
14 REQUIREMENTS THAT IS PART OF THEIR CONTRACT, SO
15 THAT WE DON'T HAVE TO GO THROUGH WHAT WE ARE
16 GOING THROUGH RIGHT NOW IN FINDING PEOPLE'S
17 RECORDS. THE DEPARTMENT OF ENERGY DOES NOT OWN
18 THOSE RECORDS. YOUR CONTRACTORS THAT YOU WORK
19 FOR OWN THOSE RECORDS. AND WE ARE TRYING TO
20 FIND ALL THOSE CONTRACTORS, WE'RE TRYING TO
21 FIND ALL THOSE RECORDS. I KNOW THAT SOME OF MY
22 RECORDS ARE IN A BOX IN SEATTLE SOMEPLACE.
23 THERE ARE A LOT OF RECORDS OUT THERE. HAVING
24 SAID THAT, I WILL TELL YOU THAT WE ARE GETTING
25 BETTER AT IT AND WE'RE FINDING A GREAT WEALTH

1 OF RECORDS, BOTH MEDICAL RECORDS, EMPLOYMENT
2 RECORDS, ALL KINDS OF THINGS AND WE'RE TRYING
3 TO PULL THAT TOGETHER TO BE ABLE TO DO THAT IN
4 A MORE EXPEDITED WAY AND TO GET A DATA BASE IN
5 PLACE SO THAT WE KNOW EVERYBODY THAT WORKED FOR
6 DEPARTMENT OF ENERGY AND ITS PREDECESSORS. AND
7 MORE IMPORTANTLY, HAVE THOSE RECORDS FOR THE
8 FUTURE. LET ME JUST PUT UP THE LAST CHART THAT
9 I'M GOING TO TALK TO. THAT IS EMPLOYMENT
10 VERIFICATION. THAT'S THE FIRST THING
11 DEPARTMENT OF ENERGY HAS TO DO, EMPLOYMENT
12 VERIFICATION. FOR DOL TO DO THEIR PART, DOE
13 HAD TO DO THEIR PART AND WE HAVE BEEN WORKING
14 VERY HARD TO ASSIST DOL IN GETTING THOSE
15 EMPLOYMENT VERIFICATIONS. BUT AS I SAID, THAT
16 IS DIFFICULT. SOME OF YOU ARE JUST LIKE A LOT
17 OF MY FRIENDS. THEY WORKED AT THE SAME JOB FOR
18 FORTY YEARS AND NEVER LEFT THE PLACE THEY
19 WORKED AND THEY HAVE HAD PROBABLY SIX DIFFERENT
20 COMPANIES THEY WORKED FOR AS COMPANIES CAME AND
21 WENT AT THE DOE SITE. FINDING THOSE RECORDS IS
22 DIFFICULT. ESPECIALLY IF YOU ARE A
23 SUBCONTRACTOR. IF YOU ARE UNION FOLKS AT THE
24 SITES, IF YOU'RE CONSTRUCTION WORKERS TRYING TO
25 FIND THE EMPLOYMENT RECORDS, THEY ARE ALSO

1 DIFFICULT. BUT I'LL ASSURE YOU, THAT IS NOT
2 THE LAST STOP. DOL HAS SAID THEY WILL ACTUALLY
3 TAKE WRITTEN AFFIDAVITS FROM FOLKS, IF ALL ELSE
4 FAILS AND WE CAN'T FIND IT THROUGH SOCIAL
5 SECURITY, CAN'T FIND IT THROUGH PRIOR
6 EMPLOYMENT, WE CAN GO TO WRITTEN AFFIDAVITS
7 FROM COWORKERS FOR YOU THAT SAY YOU WORKED
8 THERE AND WHEN YOU WORKED THERE AND THEY ARE
9 GOING WITH THAT TOO, SO WE'RE TRYING TO OPEN UP
10 AS MANY WAYS AS POSSIBLE. COMMUNITY OUTREACH
11 IS ONE OF THE THINGS THAT I DO AND I JUST GOT
12 OFF THE PLANE HERE SO I HAVEN'T HAD AN
13 OPPORTUNITY TO DO IT HERE YET, IS TO LOOK TO
14 SEE WHAT OUR COMMUNITY OUTREACH OFFICES ARE
15 DOING. AND WHAT THEY TOLD ME ABOUT YOUR OFFICE
16 HERE AND THIS IS A JOINT OUTREACH OFFICE THAT
17 IS FUNDED BY DEPARTMENT OF LABOR AND DOE. THEY
18 SAY THEY HAVE MAILED OVER ELEVEN HUNDRED
19 INFORMATIONAL FLIERS TO CURRENT AND FORMER
20 WORKERS AT THE GASEOUS DIFFUSION PLANTS IN THE
21 AREA OF PROFESSIONAL LABOR ORGANIZATIONS.
22 SUBMITTED PRESS RELEASES TO EIGHT TENNESSEE
23 TELEVISION STATIONS AND THREE ALABAMA
24 TELEVISION STATIONS. DISTRIBUTED A THOUSAND
25 FLIERS TO AREA PHARMACIES, CANCER SURVIVAL

1 CENTERS, PHYSICIANS' OFFICES, RETIREMENT
2 CENTERS, HOSPITALS AND THE LIKE. I THOUGHT
3 THIS WAS KIND OF UNIQUE. ATTENDED ALL THE
4 RETIREMENT CHRISTMAS PARTIES TO PASS OUT
5 INFORMATION AND FLIERS WERE PASSED OUT. THEY
6 ARE GETTING VERY CREATIVE, I'LL JUST TELL YOU
7 THAT. MET WITH UNION OFFICIALS AND DEVELOPED A
8 PARTNERSHIP IN SUPPORT OF ASSISTING WORKERS
9 WITH CLAIMS. BY THE WAY, I MEET WITH A LOT OF
10 UNION OFFICIALS. I'M VERY CLOSE WITH THE PACE
11 UNION IN IDAHO BECAUSE I WAS ONE OF THOSE
12 WORKERS, I SPENT A LOT OF TIME WITH THOSE
13 FOLKS. AND I FEEL STRONGLY ABOUT USING THE
14 UNION ORGANIZATION TO TAP INTO THE WORK FORCE
15 TO MAKE SURE PEOPLE UNDERSTAND ABOUT THE
16 PROGRAM AND HOW TO GET INVOLVED. MONTHLY
17 MEETINGS WITH THE Y-12 BERYLLIUM SUPPORT GROUP.
18 ATTENDED THE OAK RIDGE CHAPTER OF NAACP TO
19 ASSIST FORMER AND CURRENT WORKERS AND
20 SURVIVORS. AND ALSO SUBMITTED A LOT OF PRESS
21 RELEASES TO AREA RETIREMENT AND CREDIT UNION
22 NEWS LETTERS. THEY ARE TRYING TO FIND AS MANY
23 WAYS AS POSSIBLE TO GET INFORMATION OUT.
24 NUMBER ONE THING I'M GOING TO ASK OF ALL OF
25 YOU; IF YOU CAN THINK OF SOMETHING THAT IS NOT

1 COVERED HERE, PLEASE LET THE RESOURCE CENTER
2 KNOW SO WE CAN LOOK AT OTHER AREAS TO DO THAT
3 KIND OF CONTACT. IT'S HARD TO REACH PEOPLE,
4 ALTHOUGH I KNOW IN PLACES LIKE OAK RIDGE AND
5 IDAHO AT HANFORD YOU MAY RETIRE, BUT YOU NEVER
6 MOVE AWAY BECAUSE YOU LOVE IT HERE. SO
7 HOPEFULLY WE CAN REACH OUT AND TOUCH EVERYBODY
8 HERE. IT IS NOT LIKE THE FOLKS IN NEW YORK WHO
9 ALL MOVE TO FLORIDA. YOU ALL STAY. STATUS OF
10 OUR RULE; I'VE ALREADY TOLD YOU ABOUT THAT.
11 I'M HOPING THAT WILL COME OUT IN THE NEXT FEW
12 DAYS SO WE CAN MOVE FORWARD WITH THIS. WE
13 REALLY NEED TO GET THOSE CLAIMS MOVING AND WE
14 NEED TO GET THINGS SETTLED, WE NEED TO GIVE YOU
15 PEOPLE ANSWERS AND WE NEED TO FIGURE OUT WHERE
16 WE NEED TO MOVE FORWARD. BUT ALSO, MY OTHER
17 GOAL IS TO MAKE SURE THAT I'M VERY, VERY CLEAR
18 ON A COUPLE OF THINGS. ONE IS WHICH THINGS WE
19 CAN DO WITHIN THIS LEGISLATION AND THEN IF THIS
20 IS NOT WHAT YOU WANT IT TO BE SO YOU KNOW WHAT
21 TO DO ABOUT IT NEXT. IF IT MEANS MORE
22 AMENDMENTS, FINE. IF IT MEANS LOOKING AT OTHER
23 WAYS TO APPROACH THIS. AND MORE IMPORTANTLY,
24 IF THERE IS WAYS YOU CAN HELP US DO THIS
25 BETTER, LET ME KNOW. SECONDLY; AN ISSUE I WANT

1 TO MAKE SURE I BRING UP WITH YOU, I'VE BROUGHT
2 UP AT A LOT OF SITES, AND THAT IS RETALIATION.
3 I KNOW THAT THERE ARE A LOT OF PEOPLE,
4 ESPECIALLY IN THE CURRENT WORK FORCE THAT WORRY
5 ABOUT THAT. I WORRY ABOUT THAT TOO. I HAVE
6 LOTS OF WAYS TO REACH OUT AND TOUCH OUR
7 CONTRACTORS AND I WILL ASSURE YOU THAT WE WILL
8 DO THAT. RETALIATION IS NOT ACCEPTABLE. THIS
9 IS A PROGRAM THAT IS FOR OUR WORKERS, DOE
10 WORKERS, AND I BELIEVE THAT THERE ARE WORKERS,
11 SO I'M VERY SERIOUS ABOUT THAT AND THE
12 RESPONSIBILITIES FOR THOSE SORTS OF THINGS DO
13 LIE WITHIN MY OFFICE AT HEADQUARTERS AND I CAN
14 DO SOMETHING ABOUT IT. THE THIRD THING IS WE
15 HAVE HAD A LOT OF MEDICAL STUDIES DONE AT A LOT
16 OF DOE SITES AND WE'RE TRYING TO MAKE SURE THAT
17 WE INCORPORATE ALL THE INFORMATION THAT HAVE
18 COME OUT OF THOSE MEDICAL STUDIES SO THAT THAT
19 INFORMATION ALSO IS AVAILABLE TO FEED INTO THE
20 PROCESS SO WE HAVE THE KIND OF MEDICAL
21 BACKGROUND INFORMATION THAT IS USEFUL. AND IT
22 WILL ALLOW US TO MOVE FORWARD, SO I'M ASKING
23 FOR YOUR HELP TO HELP STREAMLINE THIS, WE WANT
24 TO DO THIS AS EFFICIENTLY AS POSSIBLE, BUT IT
25 IS A LONG, HARD FIGHT AND IT'S COMPLICATED.

1 THANK YOU.

2 MR. LAWSON: THANK YOU, MS. COOK. OUR
3 LAST SPEAKER IS DAVE SUNDIN. MR. SUNDIN IS THE
4 DEPUTY DIRECTOR OF COMPENSATION ANALYSIS AND
5 SUPPORT OF THE NATIONAL INSTITUTE FOR
6 OCCUPATIONAL SAFETY AND HEALTH. MR. SUNDIN,
7 PLEASE.

8 MR. SUNDIN: THANKS. IT IS GOOD TO BE
9 HERE. CAN YOU ALL HEAR ME? I'LL BE VERY
10 BRIEF. I'M INTERESTED IN HEARING YOUR
11 QUESTIONS AND COMMENTS. I AM FROM THE NATIONAL
12 INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH,
13 WHICH IS ONE OF THE CENTERS FOR CENTERS FOR
14 DISEASE CONTROL AND PREVENTION. NIOSH IS
15 LOCATED JUST UP THE ROAD HERE IN CINCINNATI.
16 THE LAW WHICH CREATED THIS PROGRAM ASSIGNED
17 NIOSH REALLY SEVERAL, VERY SPECIFIC DUTIES,
18 RESPONSIBILITIES. WE ARE VERY MUCH IN A
19 SUPPORT ROLE FOR THE DEPARTMENT OF LABOR AND IN
20 PARTNERSHIP WITH DOE TO MAKE THIS PROGRAM WORK.
21 THE FIRST THING THAT NIOSH WAS REQUIRED TO DO
22 WAS DEVELOP SOME REGULATIONS AND THOSE WERE
23 SPELLED OUT IN THE ACT ITSELF. WE WERE ASKED
24 TO COME UP WITH REGULATIONS WHICH WOULD GOVERN
25 HOW EMPLOYEES RADIATION DOSE WOULD BE

1 RECONSTRUCTED OR ESTIMATED, GIVEN ALL THE
2 DIFFICULTIES THAT SURROUND THAT PROCESS. WE
3 WERE ALSO ASKED TO COME UP WITH GUIDELINES FOR
4 CALCULATING THE PROBABILITY THAT AN EMPLOYEE'S
5 CANCER WAS RELATED TO THE RECONSTRUCTED
6 RADIATION DOSE. THAT IS A JOB WHICH IS REALLY
7 DOL'S TO DO, BUT NIOSH WAS ASKED TO DEVELOP THE
8 GUIDELINES FOR HOW THAT COMPUTATION WOULD BE
9 DONE. WE WERE ALSO ASKED TO DEVELOP PROCEDURES
10 FOR EVALUATING AND DETERMINING PETITIONS FROM
11 EMPLOYEES WHO WISH TO BE ADDED TO THE SPECIAL
12 EXPOSURE COHORT AND WE'RE QUITE CLOSE TO HAVING
13 THOSE PROCEDURES AVAILABLE FOR PUBLIC COMMENT.
14 NIOSH ALSO HAS THE PRIMARY RESPONSIBILITY FOR
15 ACTUALLY DOING THE DOSE RECONSTRUCTIONS ON EACH
16 INDIVIDUAL CLAIM THAT COMES TO US FROM
17 DEPARTMENT OF LABOR. I CAN TALK MORE ABOUT
18 THAT. I EXPECT THAT THAT IS SOMETHING THAT YOU
19 HAVE AN INTEREST IN. WE RELY ON DOE'S
20 ASSISTANCE IN GATHERING THE KIND OF DATA WHICH
21 UNDERPINS REALLY AND SUPPORTS DOSE
22 RECONSTRUCTION ACTIVITIES. NIOSH HAS ALSO
23 ASKED TO APPOINT MEMBERS TO DOE'S PHYSICIAN
24 PANEL AND ALSO TO PROVIDE SUPPORT TO AN
25 ADVISORY BOARD, WHICH WAS CREATED IN THE ACT.

1 THE ADVISORY BOARD ON RADIATION AND WORKER
2 HEALTH. AND THAT BOARD HAS CERTAIN, VERY
3 SPECIFIC RESPONSIBILITIES; ONE OF WHICH IS TO
4 DEAL WITH PETITIONS FOR THE SPECIAL EXPOSURE
5 COHORT AND TO REVIEW WHAT NIOSH IS DOING WITH
6 THOSE RECONSTRUCTIONS. WE ISSUED THE FIRST
7 VERSION OF OUR REGULATIONS ON OCTOBER 5, 2001.
8 I THINK BEV MENTIONED RULE-MAKING IS DONE IN
9 THE LIGHT OF PUBLIC COMMENT AND WE DID GET
10 PUBLIC COMMENTS. WE CONSIDERED THEM AND
11 MODIFIED THE PROPOSED RULES WHERE APPROPRIATE
12 AND HAVE ISSUED FINAL RULES MAY 2ND, ACTUALLY
13 FAIRLY RECENTLY, A LITTLE OVER A MONTH AGO. WE
14 BEGAN RECEIVING CLAIMS FROM DEPARTMENT OF LABOR
15 ACTUALLY BEFORE THE RULES WERE, BEFORE MAY 2ND,
16 BECAUSE ONE OF THE RULES WAS AN INTERIM FINAL
17 RULE, SO WE WERE ABLE TO PROCEED WITH SOME DOSE
18 RECONSTRUCTIONS. AND AS PETE MENTIONED, WE
19 HAVE OVER FIVE THOUSAND CLAIMS THAT WE ARE
20 PROCEEDING WITH DOSE RECONSTRUCTIONS. THEY ARE
21 ALL IN VARIOUS PHASES AT THIS POINT. WE'VE
22 BEEN REQUESTING INFORMATION FROM DOE THROUGH
23 THE APPROPRIATE POINTS OF CONTACT AND WE'VE
24 GOTTEN RESPONSES ON SOME OF THOSE AND ARE
25 MOVING FORWARD. NIOSH IS CLEARLY STAFFING,

1 TAKING ON NEW RESPONSIBILITIES THAT ARE
2 SIGNIFICANTLY DIFFERENT THAN WHAT NIOSH, AS AN
3 AGENCY, HAS DONE OVER ITS THIRTY YEAR OR SO
4 HISTORY. WE ARE LOOKING FOR RATHER SUBSTANTIAL
5 CONTRACTOR SUPPORT TO HELP US START TO MOVE
6 THROUGH THE BACKLOG OF DOSE RECONSTRUCTION
7 CASES THAT ARE CONFRONTING US. AND HOPEFULLY,
8 WILL HAVE THAT CONTRACT IN PLACE WITHIN THE
9 NEXT MONTH OR SO AT WHICH POINT I THINK WE'LL
10 BE ABLE TO MAKE FAIRLY SUBSTANTIAL PROGRESS IN
11 TERMS OF RESOLVING MANY OF THESE DOSE
12 RECONSTRUCTIONS. I CAN OUTLINE BRIEFLY WHAT
13 GOES ON IN DOSE RECONSTRUCTION, MAYBE I SHOULD
14 DO THAT IN JUST A COUPLE OF MINUTES. ONCE WE
15 RECEIVE THE CLAIM FROM NIOSH WE SEND THE
16 CLAIMANTS AN ACKNOWLEDGEMENT LETTER AND I
17 SUPPOSE MANY OF YOU HAVE RECEIVED THAT,
18 ENCLOSED WITH A LITTLE REFRIGERATOR MAGNET THAT
19 YOU CAN WRITE YOUR NIOSH TRACKING NUMBER ON.
20 I'M SORRY WE GAVE YOU ANOTHER NUMBER IN
21 ADDITION TO YOUR SOCIAL SECURITY NUMBER, BUT IT
22 MAKES IT EASIER FOR US TO TRACK THINGS. WE
23 LIST SOME IMPORTANT CONTACT INFORMATION ON
24 THERE. HOW TO GET IN TOUCH WITH US, EITHER
25 TOLL FREE NUMBER OR DIRECT LINE TO OUR OFFICE.

1 WE ALSO GIVE YOU THE SITE WHERE YOU CAN GO ON
2 TO OUR WEBSITE. I WOULD ENCOURAGE THOSE OF YOU
3 THAT HAVE THAT CAPABILITY TO DO SO. IT
4 CONTAINS A LOT OF WHAT WE THINK IS FAIRLY
5 USEFUL INFORMATION TO CLAIMANTS, IT EXPLAINS
6 DOSE RECONSTRUCTION IN SOME DETAIL. YOU CAN
7 READ OUR RULES IF YOU CARE TO. AND THERE'S A
8 SECTION OF FREQUENTLY ASKED QUESTIONS, WHICH I
9 THINK CAN BE USEFUL TO HELP YOU UNDERSTAND WHAT
10 OUR PARTICULAR ROLE IS. THEN WE REQUEST
11 INFORMATION FROM THE APPROPRIATE DOE SITE.
12 ONCE WE GET THAT INFORMATION BACK, WE EVALUATE
13 IT TO SEE IF IT IS SUFFICIENT TO GO AHEAD AND
14 INITIATE A DOSE RECONSTRUCTION. IF NOT, THEN
15 WE NEED TO ASK FOR CLARIFICATION OR MORE
16 INFORMATION. WE SCHEDULE AN INTERVIEW WITH
17 EACH AND EVERY CLAIMANT. THAT IS A VERY
18 IMPORTANT PART OF OUR PROCESS BECAUSE WE FEEL
19 LIKE IN MANY CASES WHAT THE EMPLOYEE OR
20 SURVIVOR HAS TO TELL US IS GOING TO BE KEY IN
21 OUR EFFORTS TO ESTIMATE THE EMPLOYEE'S DOSE.
22 THAT IS AN IMPORTANT PART OF THE PROCESS. WE
23 REPORT BACK TO YOU WHAT WE THINK YOU SAID
24 DURING THE INTERVIEW AND GIVE YOU A CHANCE TO
25 VERIFY IT BEFORE WE GO ON TO THE NEXT STEP AND

1 THEN WE ATTEMPT TO DO A DOSE RECONSTRUCTION.
2 BASICALLY WHAT WE ARE TRYING TO COME UP WITH IS
3 ANNUAL DOSES TO THE ORGAN SITE WHERE THE CANCER
4 DEVELOPED. IT IS VERY IMPORTANT TO KNOW THAT
5 WE ARE BRINGING THE BEST POSSIBLE SCIENCE TO
6 THIS AND IT IS NOT JUST A LIFETIME SORT OF
7 ACCUMULATED DOSE. IT IS REALLY THE SPECIFIC
8 ANNUAL DOSE TO THE SITE WHERE YOUR CANCER
9 DEVELOPED, THAT IS WHAT IS REQUIRED AND THAT
10 CAN BE SOMEWHAT CHALLENGING OBVIOUSLY. WE HAVE
11 BUILT IN CERTAIN EFFICIENCY PROCESSES IN OUR
12 DOSE RECONSTRUCTION METHODS, WHICH PERMIT US TO
13 CEASE DOING FURTHER RESEARCH IF IT'S CLEAR THAT
14 THE CLAIM IS LIKELY TO BE COMPENSABLE. ON THE
15 OTHER SIDE, IF WE CAN ASSIGN WORSE CASE
16 ESTIMATES OF DOSE AND IF THAT WOULD NEVER GET
17 THE PERSON TO A COMPENSABLE POSITION THEN WE
18 FEEL LIKE IT IS TIME TO SPEND OUR RESOURCES IN
19 OTHER AREAS. THERE ARE SOME EFFICIENCY
20 PROCESSES WHICH WE HOPE WILL MAKE IT EASIER FOR
21 US TO COMPLETE THE MOST DOSE RECONSTRUCTIONS
22 POSSIBLE. AFTER WE HAVE DONE A DOSE
23 RECONSTRUCTION WE DEVELOP A REPORT AND WE SEND
24 IT DIRECTLY TO THE CLAIMANT. THEY GET A CHANCE
25 TO REVIEW IT AND ESSENTIALLY SAY WHETHER OR NOT

1 WE'VE CONSIDERED ALL RELEVANT INFORMATION. WE
2 HOLD A CLOSEOUT INTERVIEW WITH THE CLAIMANT TO
3 GIVE THEM A CHANCE TO TELL US IF WE'VE MISSED
4 ANYTHING, TO ANSWER ANY QUESTIONS ABOUT THE
5 REPORT THEY MIGHT HAVE. AND THEN ONCE THE
6 CLAIMANT IS SATISFIED WITH OUR DOSE
7 RECONSTRUCTION REPORT, THEY SIGN A FORM AND
8 TELL US THAT AND THE CLAIM GOES BACK TO
9 DEPARTMENT OF LABOR FOR FINAL ADJUDICATION.
10 THAT IS WHERE WE ARE, IN A NUTSHELL, AND BE
11 INTERESTED IN HEARING FROM YOU.

12 MR. LAWSON: THANK YOU, MR. SUNDIN.
13 BEFORE WE OPEN UP THE FLOOR FOR COMMENTS, LET
14 ME REVIEW BRIEFLY A COUPLE OF THE PROCEDURES,
15 GROUND RULES, SO THAT WE CAN HAVE AS MUCH INPUT
16 FROM AS MANY PEOPLE AS POSSIBLE. PLEASE
17 REMEMBER THAT THE INFORMATION ON THE STATUS OF
18 SPECIFIC CLAIMS WILL NOT BE DISCUSSED IN THIS
19 PUBLIC FORUM TO RESPECT THE PRIVACY OF
20 INDIVIDUALS OR FAMILY MEMBERS WHO ARE SEEKING
21 COMPENSATION. I REMIND YOU THAT THOSE OF YOU
22 WHO ARE SEEKING SUCH INFORMATION MAY VISIT THE
23 OAK RIDGE ENERGY EMPLOYEES COMPENSATION
24 RESOURCE CENTER LOCATED AT 800 OAK RIDGE
25 TURNPIKE SUITE C-103. HANDOUT MATERIAL, I

1 THINK, IS AVAILABLE AT THE REGISTRATION TABLE
2 THAT HAS THIS INFORMATION AND OTHER INFORMATION
3 THAT MAY BE HELPFUL TO YOU. PEOPLE ARE HERE
4 TONIGHT TO REGISTER YOU FOR A SPECIFIC
5 APPOINTMENT AT THE CENTER, IF YOU WISH. CAN
6 SOMEBODY TELL ME WHERE THOSE PEOPLE ARE?
7 GREAT. THANK YOU. ALSO, IF YOU WISH TO SPEAK,
8 GO TO ONE OF THE TWO MICROPHONES WE HAVE. ONE
9 IS OVER HERE AND ONE IS THERE. PLEASE BE
10 CONCISE SO THAT AS MANY OF YOUR NEIGHBORS AND
11 OTHER ATTENDEES MAY HAVE THE OPPORTUNITY TO
12 SPEAK AS WELL. REMEMBER ONLY ONE QUESTION PLUS
13 A FOLLOW-UP, IF IT IS NECESSARY, PER PERSON
14 UNTIL EACH PERSON WHO WISHES TO SPEAK HAS AN
15 INITIAL OPPORTUNITY TO DO SO. I WOULD ASK YOU
16 TO PLEASE HELP ALL OF US HERE UNDERSTAND YOUR
17 COMMENTS BY SPEAKING AS CLEARLY AS POSSIBLE AND
18 ONLY ONE PERSON SPEAKING AT A TIME SO THAT THE
19 PEOPLE WHO ARE SPEAKING ARE NOT INTERRUPTED OR
20 THAT ANYBODY SPEAKS OVER THEM. THERE IS A
21 STENOGRAPHER HERE IN FRONT OF ME, WHO IS JOAN
22 ROBERTS, SHE IS HERE TO RECORD YOUR COMMENTS
23 AND QUESTIONS, EVEN THOUGH THIS IS NOT A FORMAL
24 HEARING. IF ANY OF YOU HAVE BROUGHT A WRITTEN
25 COPY OF ANY COMMENTS OR THOUGHTS THAT YOU HAVE

1 THAT YOU WOULD LIKE TO LEAVE WITH US YOU CAN
2 EITHER HAND THEM TO ME OR HAND THEM TO SOMEBODY
3 AT THE REGISTRATION TABLE OUTSIDE AS YOU CAME
4 IN. WE HAVE NEARLY AN HOUR AND A HALF AND I
5 WOULD JUST ASK YOU TO BE AS CONCISE AS YOU
6 WOULD AND GIVE US YOUR NAME OR NOT. IT'S UP TO
7 YOU.

8 SPEAKER: MY NAME IS CONRAD STRIKE. I
9 WORKED AT Y-12 FOR THIRTY-FIVE YEARS IN WEAPONS
10 WORK. I HAVE A QUESTION AND A FOLLOW-UP. MY
11 QUESTION IS WHY WAS Y-12, X-10, ROCKY FLATS AND
12 A LOT OF THE OTHER PLACES EXCLUDED FROM THE
13 SPECIAL EXPOSURE COHORT WHEN WE WORKED AROUND
14 AS DANGEROUS, OR MORE DANGEROUS, MATERIALS THAN
15 ANY AT ANY OF THE GASEOUS DIFFUSION PLANTS.
16 WHY WERE WE EXCLUDED? WAS IT POLITICAL?

17 MR. LAWSON: MR. TURCIC.

18 MR. TURCIC: THE ORIGINAL LISTING OF
19 WHAT FACILITIES ARE COVERED BY THE SPECIAL
20 EXPOSURE COHORT ARE SPELLED OUT SPECIFICALLY IN
21 THE ACT SO THAT CONGRESS, WHEN THEY PASSED THE
22 ACT, SPECIFICALLY IDENTIFIED THE THREE GASEOUS
23 DIFFUSION PLANTS; AMCHITKA, AND AMCHITKA AS
24 SPECIAL EXPOSURE COHORTS AND THEN PROVIDED THE
25 PROVISION FOR ADDITIONS TO THE SPECIAL EXPOSURE

1 COHORT FOR GROUPS OF PEOPLE AND THAT GAVE NIOSH
2 THE RESPONSIBILITY TO DEVELOP THE PROCEDURE AND
3 THEN IT IS THE SECRETARY OF HEALTH AND HUMAN
4 SERVICES WOULD MAKE A DECISION TO ADD OTHER
5 FACILITIES OR GROUPS OF PEOPLE. BUT YES, THAT
6 WAS SPELLED OUT RIGHT IN THE ACT.

7 MR. LAWSON: HAVE THOSE OTHER FACILITIES
8 NOW BEEN ADDED?

9 MR. TURCIC: NO, NIOSH IS IN THE PROCESS
10 OF WORKING ON THE PROCEDURES TO ADD THOSE.

11 MR. LAWSON: FOLLOW-UP QUESTION?

12 SPEAKER: JUST IN FOLLOW-UP, YOU REALLY
13 HAVEN'T ANSWERED THE QUESTION. ALL YOU DID WAS
14 REFER TO AN ACT, WHICH MOST OF US DON'T HAVE
15 THE KNOWLEDGE OR ABILITY TO SIT DOWN AND READ
16 THROUGH SOME POLITICAL ACT THAT WAS ENACTED UP
17 IN WASHINGTON, DC. CAN YOU PERSONALLY TELL ME
18 WHY WE WERE EXCLUDED?

19 MR. TURCIC: I WAS NOT INVOLVED IN THAT
20 AND I CAN'T ADDRESS THAT.

21 MS. COOK: LET ME MAKE A COMMENT JUST
22 BECAUSE, LIKE I SAID, THIS IS PERSONAL FOR ME
23 TOO. THIS IS A VERY COMPLICATED LEGISLATION
24 AND THERE'S LOTS OF THINGS IN AND LOTS OF
25 THINGS OUT. WHAT I WOULD SUGGEST TO YOU IS

1 THAT THAT IS WHY THE STAFF FROM YOUR ELECTED
2 OFFICIALS OFFICES ARE SITTING OVER HERE TO HEAR
3 YOUR COMMENTS ON THIS. I REFERRED TO IT AS A
4 GOOD FIRST STEP AND I DO BELIEVE THAT'S A GOOD
5 FIRST STEP, BUT I THINK THERE IS MORE THINGS TO
6 BE CONSIDERED, BUT THIS IS WHERE THEY ENDED UP
7 IN THE LEGISLATION.

8 SPEAKER: WHAT IS LEGISLATION GOING TO
9 DO ABOUT IT? WE ARE SITTING HERE WAITING FOR
10 SOMETHING TO HAPPEN. A LOT OF US ARE DYING
11 WITH CANCER. I HAVE NON-HODGKINS LYMPHOMA AND
12 I MIGHT LIVE A YEAR, I MIGHT LIVE FIFTY YEARS,
13 I DON'T KNOW, BUT I DON'T HAVE TIME TO SIT
14 AROUND AND WAIT FOR POLITICIANS WHEN THIS CAN
15 BE CHANGED. THIS CAN BE CHANGED IF ENOUGH
16 PEOPLE ARE CONCERNED ABOUT OUR HEALTH TO DO
17 SOMETHING ABOUT IT INSTEAD OF SAYING IT IS IN
18 AN ACT. AN ACT IS NOT GOING TO GET IT.

19 MR. LAWSON: I THINK YOU ARE DOING
20 EXACTLY THE RIGHT THING BECAUSE YOUR COMMENTS
21 ARE BEING RECORDED AND THERE ARE MEMBERS OF THE
22 CONGRESSIONAL DELEGATION THAT ARE HEARING YOUR
23 COMMENTS.

24 SPEAKER: MY FOLLOW-UP WAS GOING TO BE
25 WILL THE Y-12, X-10 AND ROCKY FLATS, WILL SOME

1 OF THESE PLANTS BE POSSIBLY INCLUDED AND IF YOU
2 HAVE ALREADY BEEN THROUGH THE NIOSH THING AND
3 SOMETHING HAPPENS THERE, THEN YOU COME BACK
4 AND...?

5 MS. COOK: IF YOU DO YOUR DOSE
6 RECONSTRUCTION AND THE RESULTS COME OUT THEN IT
7 AUTOMATICALLY PUTS YOU BACK IN THE DOL PROGRAM.
8 THAT'S THE PART THAT GOES BACK IN. THE ONLY
9 THING, AGAIN I HAVE TO WORK WITHIN THE
10 LEGISLATION THAT IS THERE AS AN AGENCY, SO WHAT
11 I CAN DO IS EMPLOYMENT VERIFICATION TO GET YOUR
12 RECORDS TOGETHER AND ALL THAT KIND OF THING AND
13 HELP WITH STATE WORKERS COMP. BUT FOR
14 RADIATION INDUCED CANCERS, WE WORK AS HARD AS
15 WE CAN TO MAKE SURE THEY HAVE THE PROPER
16 BACKGROUND INFORMATION. AND I'M WATCHING VERY
17 CAREFULLY ON HOW THEY GET THE PROCEDURES IN
18 PLACE TO BE ABLE TO ADD OTHER SPECIAL COHORT
19 GROUPS SO THAT WE CAN DEAL WITH GROUPS THAT
20 MAYBE SHOULD BE BACK IN AS A SPECIAL COHORT.

21 SPEAKER: I APPRECIATE YOUR TIME AND
22 I'LL DEFER TO SOMEONE ELSE. THANK YOU.

23 MR. LAWSON: WE'LL TAKE THIS GENTLEMAN
24 AND THEN WE'LL GO OVER HERE.

25 SPEAKER: MY NAME IS ERNEST SHEPHERD, I

1 WORKED AT X-10 FOR TWENTY-SEVEN YEARS AND I
2 NOTICED ON YOUR OVERHEAD PROJECTOR YOU HAD
3 LISTED THERE ONE ITEM WAS RENAL DISORDER. WHAT
4 IS THAT?

5 MR. TURCIC: THAT IS RENAL DISEASE AND
6 RENAL DISEASE, AS I SAID, IS ONLY COVERED IN
7 THE DEPARTMENT OF LABOR PROGRAM FOR PEOPLE WHO
8 FALL UNDER THE RECA PROGRAM ADMINISTERED BY THE
9 DEPARTMENT OF JUSTICE.

10 MR. LAWSON: HE IS ASKING WHAT IS A
11 RENAL DISORDER.

12 MR. TURCIC: IT'S ANY RENAL DISEASE.

13 AUDIENCE: KIDNEYS.

14 SPEAKER: THAT IS WHAT I HAD, ONE
15 KIDNEY, RENAL DISORDER AND THEY REMOVED IT. IF
16 I HAVE ANOTHER ONE, I MAY HAVE TO COME SEE YOU
17 ALL. THANK YOU.

18 MR. LAWSON: THANK YOU, SIR. TAKE THIS
19 GENTLEMAN OVER HERE.

20 SPEAKER: WE ARE HONORED TO HAVE YOU
21 HERE. WE FEEL LIKE YOU ARE IMPORTANT PEOPLE
22 AND WE ARE GOING TO HAVE A FURTHER MEETING
23 INFORMATION PICKETING JULY 15TH AT FOUR P.M.
24 JACKSON PLAZA OFFICE COMPLEX AT 800 OAK RIDGE
25 TURNPIKE. THE OFFICE OF WORKER ADVOCACY. YOU

1 PROBABLY KNOW WHERE THAT IS. WE WOULD BE
2 HONORED IF YOU WOULD BE THERE. WE ARE MUCH
3 CONCERNED ABOUT THIS DOSE RECONSTRUCTION. IT
4 CAN'T BE DONE BECAUSE THERE IS NOT RECORDS AND
5 WE NEED ANOTHER WAY TO DO THIS. WE NEED TO DO
6 THE AFFIDAVIT ROUTE OR SOMETHING, SWEAR PEOPLE,
7 HIRE A BUNCH OF LAWYERS TO TAKE STATEMENTS, BUT
8 THE DOSE RECONSTRUCTION, THE INFORMATION IS NOT
9 THERE. WE HAVE PEOPLE IN THIS AUDIENCE WHO
10 WON'T BE HERE AT THE END OF THE YEAR TO HEAR
11 ABOUT WHAT HAPPENS, SO WE NEED ATTENTION NOW.
12 IT HAS BEEN STATED THAT ATTENTION WAS GOING TO
13 BE GIVEN BY THE END OF THE YEAR. A LOT OF
14 PEOPLE WON'T BE HERE AT THE END OF THE YEAR.
15 THANK YOU.

16 MS. COOK: LET ME COMMENT ON THAT. I
17 MENTIONED MY FRIEND IN IDAHO. WE WERE WAITING
18 FOR NIOSH TO GET THEIR RULES IN PLACE AND MANY
19 OF YOU KNOW WHAT THIS IS LIKE. WHEN YOU FIRST
20 GET CANCER YOU THINK YOU ARE GOING TO BEAT IT,
21 EVERYBODY THINKS THEY ARE GOING TO BEAT IT, YOU
22 HAVE TO BELIEVE YOU ARE GOING TO BEAT IT, BUT
23 THAT DAY COMES WHEN YOU KNOW YOU ARE NOT GOING
24 TO. SO WHEN HE FIRST APPLIED HE THOUGHT HE
25 COULD WAIT AND HE WAITED HIS TURN TO DO HIS

1 INTERVIEWS AND TALK, RIGHT, AND THEN THE DAY
2 CAME WHEN HE KNEW HE DIDN'T HAVE MUCH TIME LEFT
3 AND I TALKED TO MY STAFF AND WE IMMEDIATELY
4 CALLED NIOSH, THEY GOT ON THE PHONE AND CALLED
5 HIM UP AND STARTING DOING INTERVIEWS. HE IS
6 NOT LOOKING FOR MONEY, HE IS NOT LOOKING FOR
7 COMPENSATION OF ANY KIND, BUT WHAT HE DOES WANT
8 IS HE WANTS TO MAKE SURE THAT HIS RECORDS GET
9 INTO THAT DATA BASE. YOU HAVE CALLING OUT
10 THERE AND SOME OF YOU ARE LIKE THIS TOO. YOU
11 WANT TO MAKE SURE THE INFORMATION IS AVAILABLE.
12 DOSE RECONSTRUCTION IS GOING TO BE VERY
13 DIFFICULT, BUT I THINK AS WE WORK TOGETHER AS
14 CURRENT AND FORMER WORKERS WE START PULLING
15 TOGETHER THE HISTORY OF THESE FACILITIES AND
16 THE KIND OF WORK THAT WAS DONE AND THE KIND OF
17 DOSES THAT PEOPLE WERE EXPOSED TO THAT WE CAN
18 GET A WHOLE STORY TOGETHER, BUT IT IS GOING TO
19 BE DIFFICULT AND AT THE END OF THE DAY THERE
20 MAY BE TIMES WHEN WE TALKED ABOUT SPECIFIC
21 FACILITIES AND SPECIFIC OPERATIONS FOR WHICH WE
22 MAY HAVE TO GO SPECIAL COHORT ROUTE BECAUSE WE
23 CANNOT COME UP WITH A REAL CLEAR DOSE
24 RECONSTRUCTION. I THINK THERE'S GOING TO BE A
25 LOT OF VARIETY. PLEASE ENCOURAGE FOLKS, I KNOW

1 IT IS HARD TO DO IF YOU ARE SICK, BUT PLEASE
2 ENCOURAGE FOLKS WHO MAY NOT HAVE A LOT OF TIME
3 LEFT TO SPEAK UP SO THAT WE CAN GET THOSE
4 INTERVIEWS DONE WITH THOSE FOLKS AND MAKE SURE
5 THAT THEIR HISTORY GETS INTO THE DATA BASE TO
6 HELP OTHER FOLKS.

7 SPEAKER: THANK YOU. LOOK FORWARD TO
8 SEEING YOU LATER.

9 MR. LAWSON: I'LL TAKE THIS LADY OVER
10 HERE PLEASE.

11 SPEAKER: IF YOU THINK DOSE
12 RECONSTRUCTION IS DIFFICULT FOR THESE PEOPLE
13 NOW WHO ARE ILL, TRY TO DO IT FOR SOMEONE THAT
14 WORKED HERE ON THE ATOMIC BOMB IN 1944 AND '45,
15 WHICH WAS MY FATHER. WHEN I WAS SEVENTEEN I
16 NURSED MY FATHER THROUGH CANCER AND HE LIVED
17 FOR SIX MONTHS. HE HAD BONE CANCER, LUNG AND
18 LIVER. IT IS ALMOST IMPOSSIBLE FOR ME TO BRING
19 BACK ANY OF THOSE FACTS FROM 1944. I HAVE
20 DOCUMENTS THAT PROVE HE WAS HERE, THE
21 CONTRACTOR THAT HE WORKED WITH, BUT I DON'T
22 WANT TO TALK ABOUT A PARTICULAR CASE. EVERYONE
23 HERE IS SPECIAL, BUT THE THING THAT UPSETS ME
24 IS THAT WHEN THIS LAW FIRST BECAME A LAW OR AN
25 AMENDMENT, OR WHATEVER YOU WANT TO CALL IT, IN

1 JULY LAST YEAR MY SISTER AND I, I WAS A MINOR
2 AT THE TIME MY FATHER DIED, I WAS SEVENTEEN. I
3 WAS THE YOUNGEST OF NINE CHILDREN BORN IN
4 EXTREME POVERTY BECAUSE MY FATHER WAS ILL. MY
5 SISTER WAS THE ONLY ONE OF THE NINE OF US WHO
6 GOT TO GO TO COLLEGE AND THAT WAS BECAUSE OF A
7 FULL SCHOLARSHIP AND SHE GAVE UP THAT
8 SCHOLARSHIP TO COME HOME AND SEND ME THROUGH
9 HIGH SCHOOL BECAUSE DAD WAS DYING. BUT NOW WE
10 WERE THE FIRST IN LINE. WE WATCHED THIS COME
11 INTO BEING AND WE BOTH FILED FOR BENEFITS JULY
12 OF LAST YEAR BECAUSE WE BOTH QUALIFIED UNDER
13 THE MINOR AND THE FULL TIME COLLEGE STUDENT.
14 AND NOW THEY ARE SAYING, THE LATEST LETTER THAT
15 WE GOT, IS THAT WE ARE, WE MUST PROVIDE
16 INFORMATION CONCERNING EVERYONE ON ALL SEVEN OF
17 THE OTHER CHILDREN WHO WERE ON THEIR OWN AND
18 MARRIED AT THE TIME. I KNOW THIS SOUNDS
19 SELFISH, BUT MY FATHER WAS CONCERNED ABOUT US,
20 I REMEMBER HIM TELLING ME ON HIS DEATH BED THAT
21 HE WAS SO SORRY THAT HE WAS NOT GOING TO BE
22 ABLE TO RAISE ME AND YET I FILE AND WHY, THIS
23 IS MY QUESTION AND THIS IS THE END. MY SISTER
24 AND I FILED IN JULY OF LAST YEAR AND WE HAVE
25 HAD NOTHING POSITIVE SAID TO US. AND THEN WE

1 GET A LETTER THAT SAYS WE HAVE GOT TO RESEARCH
2 THE OTHER SEVEN CHILDREN AND GET ALL THAT
3 INFORMATION IN AND WE CAN'T DO THAT, THEY ARE
4 SCATTERED TO THE WINDS, AND I DON'T SEE WHY WE
5 SHOULD HAVE TO PROVIDE FOR AN AMENDMENT CHANGE
6 WHEN WE FILED UNDER THE OLD LAW. MY QUESTION
7 IS; WHY, SINCE WE FILED UNDER THE LAW AS A
8 MINOR AND A FULL TIME COLLEGE STUDENT, CAN WE
9 NOT GET ANY BENEFITS?

10 MR. LAWSON: LET'S SEE IF WE HAVE AN
11 ANSWER TO THAT.

12 MR. TURCIC: YOU WOULD STILL, THE ONLY
13 THING CHANGED IS THE AMENDMENT THAT I TALKED
14 ABOUT WAS PASSED IN DECEMBER AND IT WAS MADE
15 RETROACTIVE TO THE EFFECTIVE DATE OF THE LAW
16 WHICH WOULD BE JULY 31ST.

17 SPEAKER: EVEN IF YOU HAD ALREADY FILED.

18 MR. TURCIC: AND YOU WOULD BE ENTITLED
19 TO BENEFITS AND THE WAY THAT WOULD WORK WAS IF
20 WE WERE AWARE OF SAY FIVE POTENTIAL
21 BENEFICIARIES, WE WOULD NOT STOP PROCESSING IF
22 WE COULD NOT FIND SOME OF THEM, BUT WE WOULD GO
23 AHEAD AND PROCESS AND MAKE A DETERMINATION AS
24 IF WE KNEW WHERE ALL FIVE POTENTIAL CLAIMANTS
25 BECAUSE THE OTHER FOUR HAVE AN ENTITLEMENT TO

1 AN EQUAL SHARE.

2 SPEAKER: THEY DIDN'T WHEN I FILED MY
3 CLAIM.

4 MR. TURCIC: I'M SAYING BUT THE LAW WAS
5 MADE RETROACTIVE TO JULY 31ST.

6 SPEAKER: MY CLAIM WENT IN ON JULY 31ST.

7 MR. TURCIC: I UNDERSTAND THAT, BUT THE
8 LAW CHANGED. THERE WERE A LOT OF PEOPLE WHO
9 WERE NOT ELIGIBLE BECAUSE THEY WERE NOT MINORS
10 AT THE TIME THEY LOST THEIR PARENTS AND THAT
11 WAS THE SINGLE BIGGEST ISSUE THAT WE HEARD WHEN
12 WE WENT AROUND THE COUNTRY IN THESE HEARINGS.

13 SPEAKER: AND I'M ON THE OTHER SIDE OF
14 THE FENCE.

15 MR. TURCIC: AND THEN CONGRESS CHANGED
16 THAT IN DECEMBER TO DO AWAY WITH THE AGE
17 REQUIREMENT SO THAT A SURVIVOR, A SURVIVING
18 CHILD, DID NOT HAVE TO BE UNDER THE AGE OF
19 EIGHTEEN IN ORDER TO BE ELIGIBLE FOR BENEFITS
20 UNDER THE ACT.

21 SPEAKER: BUT I WAS AND NOW I'M NOT
22 GOING TO GET ANYTHING.

23 MR. LAWSON: LET ME JUST ASK A QUESTION
24 OF MR. TURCIC. IF THERE ARE OTHER PEOPLE IN
25 THE ROOM WHO ARE IN THE SAME SITUATION, WHAT

1 SHOULD THEY DO AT THIS POINT IF THEY FILED THE
2 CLAIM AND THEY DIDN'T GET ANY POSITIVE
3 RESPONSE?

4 MR. TURCIC: WHAT HAPPENS IS THAT ONCE
5 YOU GET TO THE POINT WHERE WE WOULD BE ISSUING
6 A RECOMMENDED APPROVAL, THEN THE NEXT STEP
7 WOULD BE TO SEND OUT WHAT WE CALL AN EN15 AND
8 THAT EN15 ASKS FOR SPECIFIC INFORMATION
9 RELATIVE TO ANY LAWSUITS THAT HAVE BEEN FILED
10 OR SETTLEMENTS AND ALSO OTHER POTENTIAL
11 CLAIMANTS. IF YOU HAD OTHER SIBLINGS. AND WE
12 WOULD JUST GO AHEAD AND PROCESS AS IF, AND THEN
13 IF YOU COULD SHOW THAT THAT INDIVIDUAL, THE
14 OTHER POTENTIAL CLAIMANT, WAS NOT --

15 SPEAKER: WHY DOES THAT FALL MY BURDEN?

16 MR. TURCIC: THE PART THAT FALLS ON YOUR
17 BURDEN IS YOU WILL GET YOUR SHARE, IF YOUR
18 CLAIM WAS AWARDED, DID YOU SAY NINE KIDS?

19 SPEAKER: UH-HUH.

20 MR. TURCIC: YOU WOULD GET AN EQUAL
21 SHARE OF THAT. IF FOR SOME REASON SOME OF
22 THOSE OF YOUR OTHER EIGHT SIBLINGS --

23 SPEAKER: WHO WERE NOT MINORS AT THE
24 TIME THEIR FATHER DIED.

25 MR. TURCIC: WELL, BUT THE LAW DOES NOT

1 REQUIRE THAT ANYMORE. THEN IF AT SOME POINT IN
2 TIME WE BECAME AWARE THAT THEY WERE NO LONGER
3 ELIGIBLE, FOR WHATEVER REASON, THEN YOUR SHARE
4 WOULD THEN GO UP, BUT THE LAW PROVIDES FOR
5 SPOUSE TAKES IT ALL OR EQUAL SHARE AMONG ALL
6 CHILDREN.

7 MR. LAWSON: TOMORROW WHAT SHOULD SHE
8 DO?

9 MR. TURCIC: THERE IS NOTHING THAT SHE
10 NEEDS TO DO.

11 SPEAKER: NO, IT'S JUST SETTING THERE
12 AND THAT'S WHAT THE LETTER SAID THAT I GOT FROM
13 YOU ALL. IS THAT NOTHING WILL BE DONE UNTIL I
14 CAN PROVIDE INFORMATION CONCERNING ALL OF MY
15 FATHER'S CHILDREN. WHY DOES THAT FALL MY
16 BURDEN? I WAS A MINOR, I WAS A CHILD, MY
17 FATHER DIED, I NURSED HIM UNTIL HE DIED AND YET
18 MY CLAIM IS SITTING DOING NOTHING.

19 MR. TURCIC: WE WILL LOOK INTO THAT, BUT
20 LIKE I'M SAYING, WHAT THE PROCESS IS IS THAT IF
21 WE BECOME AWARE OF OTHER POTENTIAL CLAIMANTS
22 THAT WE CANNOT FIND, WE WILL GO AHEAD AND
23 PROCESS IT AND GIVE YOU WHATEVER.

24 SPEAKER: NO, THEY ARE NOT. THEY SAID
25 THEY WOULD NOT PROCESS IT UNTIL I CAME UP WITH

1 ALL OF THE INFORMATION.

2 MR. TURCIC: YOU HAVE TO FILL OUT THE
3 FORM SAYING THAT IF THERE WERE OTHER POTENTIAL
4 CLAIMANTS. IF YOU SAY NO, YOU HAVE TO PROVIDE
5 ACCURATE AND TRUTHFUL INFORMATION. SO ALL YOU
6 ARE BEING ASKED FOR IS PROBABLY THE EN15, WHICH
7 SAYS ARE YOU AWARE OF ANY OTHER POTENTIAL, YOU
8 DON'T HAVE TO SAY WHERE THEY ARE. YOU DON'T
9 HAVE TO GET INTO ANY OF THAT, IF YOU DON'T KNOW
10 THAT.

11 MR. LAWSON: I WOULD JUST RECOMMEND THAT
12 YOU AND OTHER PEOPLE ON AN INDIVIDUAL CASE TO
13 TALK TO SOMEBODY AT THIS OFFICE THAT I
14 MENTIONED EARLIER.

15 MR. TURCIC: NO, I NEED TO CORRECT THAT.
16 IN SITUATIONS LIKE THAT THEY SHOULD NOT BE
17 GOING BACK TO THE RESOURCE CENTER ON CASE
18 SPECIFIC CLAIMS. THEY NEED TO TALK TO THE
19 DISTRICT OFFICE, WHICH HAS THEIR CLAIM
20 INFORMATION. THE RESOURCE OFFICE HERE DOES NOT
21 HAVE THEIR CLAIM.

22 MR. LAWSON: SO THE DISTRICT OFFICE IS
23 JACKSONVILLE?

24 MR. TURCIC: THAT'S CORRECT.

25 MR. LAWSON: DOES EVERYONE HAVE THE

1 WENT AND SPOKE IN THE SENATE TO ALL THE
2 OFFICIALS. IT WAS PASSED ON TO RICHARDSON BY
3 DR. MICHAELS. IT WAS PASSED ON TO PRESIDENT
4 CLINTON AND HE SIGNED IT BEFORE HE LEFT OFFICE.
5 AND THIS WAS OUR UNDERSTANDING WHEN WE LEFT
6 WASHINGTON THAT THIS IS THE WAY IT WOULD BE
7 CARRIED OUT. BUT IT HAS BEEN CARRIED OUT
8 ALTOGETHER DIFFERENT. THE SICK PEOPLE, I'M A
9 VERY SICK PERSON AND IF YOU WORK IN A PLACE
10 SIXTEEN AND A HALF YEARS WITH ALL THE CHEMICALS
11 THERE ARE, YOU KNOW YOU ARE INFECTED. EITHER
12 THE DOCTORS HAVE ALZHEIMER'S, OR SOMEONE HAS
13 IT, BECAUSE THEY ARE FORGETTING TO WRITE OUT
14 THE REPORTS. AND THEY SAY YOU ALL ARE NOT
15 READING THEM RIGHT. I WANT TO KNOW WHAT IS
16 GOING ON BECAUSE, AS HAS BEEN SAID HERE SEVERAL
17 TIMES, SOME OF US MIGHT NOT LIVE THAT YEAR TO
18 WAIT UNTIL YOU ALL GET THROUGH POKING THROUGH
19 WHAT YOU HAVE ALREADY POKED THROUGH. IT IS
20 TIME NOW TO FACE UP. I JUST GOT BACK FROM
21 RUSSIA, EVEN OVER THERE THEY HAVE OWNED UP TO
22 THEIR RESPONSIBILITIES AND I CANNOT SEE WHY WE
23 CANNOT OWN UP TO OURS. YOU ALL KNOW WE ARE
24 SICK, WE ARE DESERVING. THANK YOU VERY MUCH.

25 MR. LAWSON: IS THERE A BRIEF RESPONSE?

1 SPEAKER: I DON'T NEED A RESPONSE.

2 MR. LAWSON: THIS NEXT LADY OVER HERE
3 PLEASE.

4 SPEAKER: MY NAME IS JANINE ANDERSON, I
5 LIVE IN MARYVILLE, TENNESSEE. I'M A FORMER
6 ADMINISTRATIVE ASSISTANT AT THE K-25 SITE WHERE
7 I WORKED IN THE PAYROLL AND THE ADMINISTRATIVE
8 OFFICES. THE THOUSAND ONE BUILDING AND ALSO
9 THE THOUSAND SEVEN. I HAVE DONE A LOT OF WORK
10 FOR THE PAST FOUR TO FIVE YEARS TRYING TO HELP
11 GET THIS LEGISLATION PASSED, GOING BACK AND
12 FORTH TO WASHINGTON WITH ONE OF THE HEALTH
13 GROUPS HERE IN OAK RIDGE, COALITION FOR HEALTHY
14 ENVIRONMENT. I HAVE A COUPLE OF ISSUES THAT I
15 WOULD LIKE TO ASK THE PANEL QUESTIONS ON.
16 FIRST OF ALL, I WOULD LIKE TO REFER TO THE
17 MARCH 31, 2000 NATIONAL ECONOMIC COUNCIL REPORT
18 AND I WANT TO KNOW IF ANY OF YOU HERE ARE
19 FAMILIAR WITH THAT REPORT.

20 MS. COOK: YES.

21 MR. TURCIC: I WAS ON THAT REVIEW.

22 SPEAKER: ARE YOU PETER? BECAUSE I CAME
23 IN LATE.

24 MR. TURCIC: YES.

25 SPEAKER: MY MAIN QUESTION WOULD BE WHAT

1 PART OF THIS REPORT DID YOU NOT UNDERSTAND
2 WHERE IT STATES THROUGH ITS ENTIRETY THAT THE
3 SUBTITLE D OR THE MAJOR NUMBER OF EXPOSED
4 WORKERS UNDER THE TOXIC SUBSTANCES THAT IT
5 WOULD NOT BE APPROPRIATE TO APPLY THE STATE
6 WORKERS COMPENSATION TO THE ILLNESSES THAT
7 THESE PEOPLE HAVE DEVELOPED AS A RESULT OF
8 THEIR EXPOSURES AT ALL THE FACILITIES ACROSS
9 THIS COUNTRY. IT IS VERY CLEAR TO ME AFTER
10 STUDYING THIS REPORT OVER THE PAST YEAR THAT
11 THIS REPORT THAT WAS WRITTEN AND FROM DR. DAVID
12 MICHAELS AND IT WAS ASKED TO BE DONE BY THE
13 PRESIDENT AND TASKED TO THE NATIONAL ECONOMIC
14 COUNCIL INDICATES THAT THE STATE WORKERS COMP,
15 BECAUSE OF REASONS YOU MUST KNOW, WILL NOT
16 WORK.

17 MS. COOK: SUBTITLE D IS ACTUALLY DOE'S
18 PART OF IT. YES, I HAVE READ THE REPORT AND
19 I'VE ALSO READ THE LEGISLATION AND I ALSO KNOW
20 WHAT BOX I'M IN. AND THE LEGISLATION SAYS MY
21 JOB IS TO ASSIST PEOPLE THAT APPLIED FOR STATE
22 WORKERS COMP. WE HAVE LOOKED AT ALL THE
23 COMMENTS WE HAVE GOT ON OUR INITIAL RULE. I
24 THINK AS SOON AS IT COMES OUT HERE, OF COURSE
25 WE'RE IN THE LAST STAGES OF IT, I THINK THAT

1 EVERYONE WILL BE PLEASED ABOUT HOW WE ARE
2 MOVING FORWARD WITH THE PHYSICIANS PANEL AND
3 HOW WE'RE DOING JUDGMENTS AND TRYING TO USE
4 SOME UNIFORM STANDARD TO LOOK AT HOW WE JUDGE
5 THE ILLNESSES THAT ARE OUTSIDE THE SPECIAL
6 ILLNESSES, THE OTHER TOXIC ILLNESSES. BUT THE
7 FACT OF THE MATTER IS THEN WHAT HAPPENS IS IT
8 ROLLS TO STATE WORKERS COMP. AND AGAIN THAT IS
9 SOMETHING THAT WE WILL HAVE TO TALK ABOUT WITH
10 AMENDMENTS TO THE LEGISLATION IF THAT IS NOT
11 WHERE PEOPLE WANTED TO GO, BUT IN FACT,
12 SUBTITLE D SAYS ASSIST PEOPLE TO APPLY FOR
13 STATE WORKERS COMP.

14 SPEAKER: I WOULD LIKE TO COMMENT THAT
15 APPROXIMATELY NINETY TO NINETY-FIVE PERCENT OF
16 THE AFFECTED WORKERS IN THIS COUNTRY WOULD FALL
17 UNDER SUBTITLE D UNDER THE TOXIC EXPOSURE PART
18 OF THIS LEGISLATION AND THEY WILL NOT RECEIVE
19 COMPENSATION UNDER STATE WORKERS COMPENSATION.
20 THAT IS A TOTALLY ADVERSARIAL PROCESS AND, AS
21 YOU KNOW FROM STUDYING THE NEC REPORT, IT WILL
22 NOT WORK AND THAT IS MY LAST COMMENT ON THAT.
23 THE LEGISLATION, IN MY MIND, WILL HAVE TO BE
24 TOTALLY REWRITTEN TO COVER THE LARGEST GROUP OF
25 AFFECTED WORKERS. THE SECOND THING I WOULD

1 LIKE TO COMMENT IS VERY CRITICAL AND IT IS
2 REGARDING DOSE RECONSTRUCTION AT THE OAK RIDGE
3 FACILITIES. AND I WOULD LIKE TO QUOTE A LETTER
4 DATED OCTOBER 11, 1991. IT IS ON MARTIN
5 MARIETTA LETTERHEAD AND IT IS ADDRESSED TO
6 DR. D.L. CRAGLE, (PHOENETIC) WHO AT THAT TIME
7 WAS THE DIRECTOR OF THE CENTER FOR
8 EPIDEMIOLOGIC RESEARCH HERE IN OAK RIDGE. IT
9 IS SIGNED BY FRED R. MYNATT, WHO WAS THE VICE
10 PRESIDENT OF COMPLIANCE, EVALUATIONS AND
11 POLICY. IT SAYS; DEAR DR. CRAGLE, IT IS OUR
12 UNDERSTANDING THAT THE WORKER RADIATION
13 EXPOSURE DATA PREVIOUSLY PROVIDED TO THE OAK
14 RIDGE ASSOCIATED UNIVERSITIES BY MARTIN
15 MARIETTA ENERGY SYSTEMS INCORPORATED AND ITS
16 PREDECESSOR, UNION CARBIDE, ARE BEING, AND HAVE
17 BEEN, USED FOR EPIDEMIOLOGICAL STUDIES. RECENT
18 REVIEWS INDICATE THAT THIS DATA MAY NOT TOTALLY
19 OR ACCURATELY REFLECT THE ACTUAL EXPOSURE OF
20 THE INDIVIDUAL. THE DEPARTMENT OF ENERGY, DOE,
21 ORDER ADDRESSING WORKER EXPOSURE CHANGED
22 DRASTICALLY IN 1989 BY REQUIRING THE SUMMATION
23 OF INTERNAL AND EXTERNAL DOSES. PRIOR TO THAT
24 TIME BIOASSAY MEASUREMENTS WERE NOT ASSESSED IN
25 TERMS OF AN INTERNAL DOSE. RESULTS WERE SIMPLY

1 COMPARED WITH AN ACCEPTABLE VALUE AND NO ACTION
2 WAS TAKEN IF THEY WERE BELOW THAT VALUE.
3 REPORTING OF THESE RESULTS WAS NOT REQUIRED.
4 THE OAK RIDGE NATIONAL LABORATORY HAS BEEN
5 REASSESSING MANY PREVIOUS INTERNAL EXPOSURES IN
6 LIGHT OF THE CURRENT DOE ORDER AND HAS FOUND
7 THAT DATA STORED ON THE HISTORY TAPES PROVIDED
8 TO ORAU MAY BE INADEQUATE FOR DOSE ASSESSMENT.
9 USE OF THE ORIGINAL HARD COPIES OF BIOASSAY
10 RESULTS WAS FOUND TO BE NECESSARY. DATA STORED
11 ON THE HISTORY TAPES PRIOR TO 1989,
12 PARTICULARLY THOSE ASSOCIATED WITH INTERNAL
13 EXPOSURES, WERE FOR COMPLIANCE PURPOSES ONLY
14 AND MAY NOT BE SUFFICIENT FOR DOSE ASSESSMENT.
15 EXTERNAL EXPOSURE DATA ON THESE HISTORY TAPES
16 HAVE RECENTLY BEEN FOUND TO CONTAIN ERRORS,
17 INCORRECT ENTRIES AND TRANSPOSED FIELDS WERE
18 DISCOVERED IN THE DATA BASE. CORRECTIONS TO
19 THESE PROBLEMS ARE CURRENTLY UNDERWAY AT ORNL,
20 K-25 AND Y-12 AND PADUCAH. PORTSMOUTH DOES NOT
21 STORE THEIR HISTORICAL DATA ON THIS TAPE. IN
22 VIEW OF THIS LETTER HERE, IN MY ESTIMATION, ANY
23 DOSE RECONSTRUCTION THAT WOULD BE USED TO
24 ASSESS THE AMOUNT OF RADIATION EXPOSURE FOR THE
25 OAK RIDGE WORKERS WOULD NOT BE ADEQUATE FOR YOU

1 TO DECIDE WHO GOT A CERTAIN TYPE OF, QUOTE,
2 RADIATION-INDUCED CANCER THAT WOULD BE COVERED
3 UNDER THIS COMPENSATION BILL. THANK YOU.

4 MR. LAWSON: THANK YOU. BEFORE YOU
5 LEAVE, ANYBODY WHO HAS INFORMATION THAT THEY
6 HAVE REFERRED TO, OR DOCUMENTS THAT THEY HAVE,
7 IF THEY COULD, TONIGHT IF POSSIBLE, BUT AS SOON
8 AS POSSIBLE, PROVIDE US WITH A COPY OF THAT AND
9 THAT WILL MAKE THE RECORD THAT MUCH MORE
10 COMPLETE AND SUPPLEMENT WHAT THE STENOGRAPHER
11 IS ABLE TO TAKE. ANY COMMENTS ON THAT?

12 MR. SUNDIN: JUST A BRIEF COMMENT. I
13 UNDERSTAND THE ISSUE THAT WAS RAISED AND THAT
14 IS A CONCERN ABOUT THE QUALITY, COMPLETENESS,
15 ACCURACY OF DOE RECORDS, BUT I WOULD POINT OUT
16 THAT FROM THE STANDPOINT OF WHAT WE DO WITH THE
17 INFORMATION IT IS A STARTING POINT AND WE HAVE
18 TO START SOMEWHERE. AND THE RECORDS SYSTEMS
19 HAVE CHANGED AND THEY VARY FROM SITE TO SITE.
20 BUT OUR JOB IS NOT REALLY A RESEARCH EFFORT SO
21 MUCH AS IT IS AN APPROXIMATION. WE ALSO
22 INVOLVE THE CLAIMANT, WE WILL INTERVIEW
23 COWORKERS, OUR DOSE RECONSTRUCTIONISTS NEED TO
24 GET A PICTURE OF WHAT THE ENVIRONMENT WAS LIKE.
25 WE ALSO ARE AWARE OF DETECTION LIMITS FOR OLDER

1 I WORKED AT K-25 A TOTAL OF TWENTY-SEVEN AND A
2 HALF ACTIVE YEARS. A TOTAL OF THIRTY-FOUR
3 YEARS WITH RETIREMENT. AND I HAD TO COME OUT
4 BECAUSE I WAS ILL WITH KIDNEY DISEASE. I HAD
5 GOTTEN EXPOSURE TO HEAVY METALS AND LOST BOTH
6 MY KIDNEYS WHILE EMPLOYED AT K-25.
7 FORTUNATELY, MY SON AND DAUGHTER, THEY MATCHED
8 AND I RECEIVED A KIDNEY FROM MY SON. AND I WAS
9 EXPOSED TO URANIUM, HEAVY METALS AND I WORKED
10 IN THE PROCESS BUILDINGS AND OTHER BUILDINGS
11 AND A LOT OF TIME WE DID SAMPLING AND I WORKED
12 ALL OVER AND WE DID SAMPLING IN 1423 AND EVERY
13 TIME YOU WOULD DO SAMPLING, EVEN IF YOU WAS
14 CAREFUL AS YOU COULD BE, YOU WOULD ALWAYS GET
15 THIS PUFF OF SMOKE, WHICH WAS CONTAMINATION.
16 AND ALSO THAT AFTER WORKING THERE FOR A WHILE I
17 WAS OVER IN K-33 BUILDING FOR A NUMBER OF
18 YEARS. I WAS A CONTROL ROOM OPERATOR AND I WAS
19 ALSO A BUILDING OPERATOR AND I WAS EXPOSED TO
20 HEAVY METALS AND THEY KEPT ME OUT OF THE
21 BUILDING FOR TWO WEEKS, BUT THE INTENTION WAS
22 TO KEEP ME OUT LONGER. BUT THE WORK FORCE GOT
23 LOW AND I COULD NOT EVEN GO OUT IN THE BUILDING
24 TO GO BACK TO WHERE THEY KEPT THE ROOM WHERE
25 YOU GO TO GET REFRESHMENTS. I HAD TO STAY UP

1 FRONT. BUT THEN THE WORKLOAD BECAME HEAVY AND
2 THEY CUT THE TIME DOWN TO TWO WEEKS AND I WAS
3 RIGHT BACK OUT THERE IN THE BUILDING AGAIN.
4 AND I WORKED THERE UNTIL BASICALLY UNTIL I
5 RETIRED FROM OUT THERE. BUT MY THING IS THAT,
6 AND I UNDERSTAND THAT THE URANIUM WORKERS
7 COVERED BY RADIATION EXPOSURE COMPENSATION ACT
8 ARE COMPENSATED FOR A KIDNEY AND I DID LOSE
9 BOTH KIDNEYS AND, LIKE I SAY, IF IT HAD NOT
10 BEEN FOR MY CHILDREN, I STILL BELIEVE THAT I
11 WOULD BE ON DIALYSIS TODAY. IF A PERSON HASN'T
12 EVER BEEN ON DIALYSIS OR HADN'T EVER HAD ANY
13 KIND OF KIDNEY FAILURE, I'M GOING TO TELL YOU
14 IT IS A DIFFERENT WORLD TO LIVE IN BECAUSE WHEN
15 IT HAPPENED TO ME I ALWAYS THOUGHT I WAS THE
16 STRONGEST PERSON AROUND, BUT WHEN IT HAPPENED
17 TO ME IT WAS JUST LIKE SOMEBODY PICKED THE
18 WORLD UP AND DROPPED IT ON TOP OF ME. AND
19 RIGHT NOW THERE HADN'T BEEN ANY COMPENSATION
20 FOR IT BECAUSE IT HAD NOT BEEN IN THE ACT OF,
21 I'M HOPING THAT IT WILL BE SIMPLE TO ADD
22 CHRONIC RENAL DISEASE TO THE LIST OF COVERED
23 DISEASES FOR THE LUMP SUM THAT HAS BEEN
24 OFFERED. ALSO TO DO OTHERWISE IS UNFAIR TO THE
25 REST OF US BECAUSE WE ALL HAD A JOB TO DO DOWN

1 THERE. AND I THINK, PERSONALLY I THINK THAT I
2 DONE MY JOB WELL BECAUSE IF YOU DIDN'T YOU ARE
3 NOT GOING TO STAY ON THE JOB FOR THIRTY
4 SOMETHING YEARS IF YOU HAVEN'T DONE A GOOD JOB.
5 AND I BELIEVE THAT THIS SHOULD BE ADDED TO THE
6 LIST OF THE DISEASES THAT WE HAVE BECAUSE I
7 KNOW THERE IS OTHER PEOPLE THAT HAS HAD KIDNEY
8 FAILURE. AS A MATTER OF FACT, I SEE ONE OF MY
9 COWORKERS SITTING OVER THERE IN THE CORNER,
10 JAMES HUGHES, THAT SINCE I HAVE BEEN GONE HAS
11 LOST HIS KIDNEYS. AND ALL WE ARE ASKING FOR IS
12 THE GOVERNMENT OR CONGRESS CAN FIT IT IN THEIR
13 PROGRAM TO TAKE CARE OF THIS FOR THE REST OF
14 US. I URGE CONGRESS TO ADD THIS TO COVER THE
15 DISEASES THAT WE MIGHT INCUR DOWN THERE. I
16 DON'T HAVE ANY REGRETS OF WORKING THERE BECAUSE
17 IT WAS A JOB THAT TOOK CARE OF MY FAMILY AND I
18 WOULD JUST LIKE TO BE ABLE TO SAY, HEY, THEY
19 THOUGHT ABOUT THE ONES THAT LOST KIDNEYS AS
20 WELL AS THE OTHER DISEASES. THANK YOU.

21 MR. LAWSON: THANK YOU, SIR. DON'T
22 FORGET TO HAND IN THAT, IF YOU WOULD PLEASE.
23 YES, SIR, PLEASE.

24 SPEAKER: YES, SIR, I'M JERRY TUDOR AND
25 I WOULD LIKE TO THANK CONGRESSMAN WAMP'S OFFICE

1 FOR HAVING YOU ALL HERE TONIGHT. MY QUESTION
2 WOULD GO TO NIOSH. WHEN CONGRESS PASSED THIS
3 BILL THEY STATED THAT NINETY-EIGHT PERCENT OF
4 THE CANCERS WERE CAUSED AT BELOW TODAY'S
5 STANDARDS, SAFE STANDARDS I BELIEVE IS THE
6 WORDS THEY USED. HOW CAN A DOSE
7 RECONSTRUCTION, ARE YOU GOING TO COMPENSATE
8 PEOPLE IF THEY ARE BELOW SAFE STANDARDS?

9 MR. SUNDIN: WELL, SURE, IF THE DOSE
10 RECONSTRUCTION AND THE TYPE OF CANCER AND WHEN
11 THE CANCER ORIGINATED LEADS TO A PROBABILITY
12 CAUSATION OF FIFTY PERCENT OR GREATER, THEN THE
13 FACT THAT THOSE EXPOSURES WERE AT WHAT WAS
14 REGARDED AS SAFE LEVELS REALLY HAS NO BEARING
15 ON THIS COMPENSATION DECISION.

16 SPEAKER: YEAH, BUT WHAT YOU PUT INTO
17 YOUR PROGRAM ON THE COMPUTER PROGRAM IS
18 DETERMINED BY WHAT RECORDS YOU RECEIVE FROM
19 DOE, IS THAT NOT RIGHT?

20 MR. SUNDIN: IN PART.

21 SPEAKER: IF YOU ARE GOING BY THEIR
22 STANDARDS, HOW CAN CONGRESS SAY NINETY-EIGHT
23 PERCENT OF THE CANCERS WERE CAUSED BY BELOW
24 SAFE STANDARDS?

25 MR. SUNDIN: DOE RECORDS, WE WOULD TAKE

1 WHATEVER WE GET FROM DOE, INCLUDING REPORTED
2 RESULTS OF BELOW PROTECTION STANDARDS AND DOE
3 DOES REPORT DATA THAT WAY.

4 MS. COOK: LET ME TALK ABOUT MY RECORDS
5 BECAUSE I HAVE RECORDS, I HAVE TWENTY-SEVEN
6 YEARS OF RECORDS, JUST LIKE THE REST OF YOU. I
7 HAVE ALL MY RECORDS, IT DOES NOT MATTER, I WAS
8 NEVER IN THE POSITION, ALTHOUGH I DID KNOW A
9 LOT OF PEOPLE, I WORKED LOTS OF HOT CELLS, BUT
10 I WAS NEVER IN A POSITION WHERE THEY SAID YOU
11 CAN'T GO IN THE FACILITY, MA'AM, BECAUSE YOU
12 HIT YOUR LIMIT. NEVER. BUT I DO HAVE
13 TWENTY-SEVEN YEARS OF RECORDS. IF I GET SICK,
14 ALL TWENTY-SEVEN YEARS OF RECORDS, ALL OF
15 THOSE, WILL GO IN THERE. AND ALSO RECORDS OF
16 THE FACILITIES THAT I WAS IN AND WHAT ELSE WENT
17 ON IN THOSE FACILITIES WOULD ALSO GO INTO WHAT
18 THEY USE AND WHAT THEY UTILIZE. BECAUSE YOU
19 DIDN'T HIT THE LIMIT DOES NOT MEAN IT DOES NOT
20 GO INTO PART OF HOW THEY DO THE DOSE
21 RECONSTRUCTION AND HOW THEY DETERMINE
22 CAUSATION.

23 MR. LAWSON: THANK YOU. THIS LADY OVER
24 HERE PLEASE.

25 SPEAKER: THANK YOU VERY MUCH. FIRST OF

1 ALL, FROM MY HEART I WANT TO TELL EVERYBODY
2 HELLO. I SEE A LOT OF PEOPLE I KNOW. IF I
3 WENT INTO MY PERSONAL CASE WE WOULD BE HERE ALL
4 NIGHT. I HAVE LOST EVERYTHING TO MY HEALTH
5 PROBLEMS. I WAS SICK AND WORKERS COMP? I'M
6 SORRY. I HAD IT, I HAD IT BECAUSE I WAS SICK
7 AND THEY SENT ME TO A DOCTOR AND THE DOCTOR
8 HURT ME. SOCIAL SECURITY? I'M SORRY, NO, NOT
9 GETTING IT. NOT GETTING IT. I DON'T KNOW WHAT
10 IS MISSING FROM MY MEDICAL REPORTS. I'M WELL
11 DOCUMENTED. I CERTIFIED MATERIAL. I KNOW HOW
12 TO DOCUMENT IT. LET ME ASK YOU A QUESTION
13 RIGHT NOW. WHEN I READ IN THE CDC, IS THIS TO
14 YOU MR. SUNDIN?

15 MR. SUNDIN: YES.

16 SPEAKER: WHEN I READ ONLINE ABOUT ALL
17 THIS STUFF IT WILL MAKE YOUR HEAD SPIN, BUT I
18 JUST WANT TO READ YOU AN EXCERPT OF WHAT I
19 FOUND TO BE KIND OF INTERESTING AND ASK YOU WHY
20 ISN'T THIS BEING CONSIDERED, OR IS IT. IT
21 SAYS, AND IT'S FROM THE ATSDR. THE MOST
22 SENSITIVE MEASURE OF RADIATION EXPOSURE
23 INVOLVES THE STUDY OF YOUR CHROMOSOMES. THIS
24 IS A SPECIAL TEST FOR DOSES THAT ARE TOO LOW TO
25 PRODUCE CLINICALLY OBSERVABLE SIGNS OR

1 SYMPTOMS. THE TEST MAY BE USEFUL FOR DOSES
2 GREATER THAN ABOUT THREE TIMES THE MAXIMUM
3 ANNUAL PERMISSIBLE DOSE FOR RADIATION WORKERS.
4 CHANGES IN THE WHITE BLOOD CELL COUNT MAY BE
5 SEEN IN PEOPLE WHOSE DOSES EXCEEDED ABOUT FIVE
6 TIMES THE OCCUPATIONAL MAXIMUM PERMISSIBLE
7 ANNUAL DOSE. RADIATION DOSES AT OR ABOVE THESE
8 LEVELS CAN BE RELIABLY ESTIMATED USING THESE
9 TWO SPECIAL TESTS. IS THAT BEING CONSIDERED?

10 MR. SUNDIN: YOU ARE GOING TO TAKE ME
11 OUTSIDE MY AREA OF EXPERTISE FAIRLY QUICKLY.
12 ATSDR IS ANOTHER CENTER AT CDC AND THEY STUDY
13 PRIMARILY COMMUNITY HEALTH AS OPPOSED TO
14 OCCUPATIONAL HEALTH.

15 SPEAKER: THIS IS ABOUT RADIATION
16 WORKERS.

17 MR. SUNDIN: CORRECT. MY UNDERSTANDING
18 IS THAT THERE ARE SOME EARLY INDICATORS OF
19 CHROMOSOME DAMAGE LIKE THAT WHICH ARE USED
20 PROBABLY IN OTHER SETTINGS, BUT WE REALLY DON'T
21 HAVE THE LUXURY OF MODIFYING THE PROGRAM THAT
22 WAS DESCRIBED IN THE ACT, WHICH BASICALLY TALKS
23 ABOUT CANCER AS A DISEASE RATHER THAN EARLY
24 INDICATIONS, WHICH MAY OR MAY NOT LEAD TO
25 CANCER. IT IS NOT A PART OF WHAT WE --

1 SPEAKER: IS IT OR IS IT NOT BEING
2 CONSIDERED AS PART? THE CDC SAYS THAT IS PART
3 OF A GOOD WAY TO KNOW RADIATION DOSAGE. WE ARE
4 LOOKING AT RECONSTRUCTING FIGURES. WE HAVE ALL
5 WORKED WITH FIGURES. WE KNOW FIGURES. WE
6 WORKED FIGURES FOR A LIVING, BUT WHAT ABOUT THE
7 CHROMOSOME STUDIES?

8 MS. COOK: I ALSO HAVE RESPONSIBILITIES
9 WITH HEALTH STUDIES WITH DEPARTMENT OF ENERGY.
10 I'M VERY INTERESTED IN THAT ALSO. AS DAVID
11 SAID, THIS ACT SAYS YOU HAVE TO BE SICK.
12 HAVING SAID THAT, LET'S MOVE ON. WHAT I'M
13 INTERESTED IN IS FINDING THE BEST TECHNIQUES
14 POSSIBLE TO DEAL WITH ILLNESSES ASSOCIATED WITH
15 YOUR WORK, AND SO I WAS MAKING NOTES ABOUT THIS
16 BECAUSE I REALLY WANT TO GET A LOOK AT THIS. I
17 WILL ALSO TELL YOU THERE IS SNAKE OIL OUT THERE
18 TOO. WE ALL KNOW THAT AND WE'VE ALL BEEN TOLD
19 THINGS THAT ISN'T ACCURATE TOO. BUT LET ME
20 LOOK INTO THIS BECAUSE WHAT I WANT TO HAVE IS
21 THE BEST WAY POSSIBLE TO PROTECT OUR WORK FORCE
22 OF THE FUTURE, ALSO, TO BE ABLE TO LOOK AT HOW
23 DO WE LOOK AT INDICATORS, HOW DO WE KNOW WHEN
24 SOMETHING IS AFFECTING SOMEBODY. AND I DON'T
25 MEAN TO DIVERT, BUT THE OTHER PERSON THAT I

1 SAID GOODBYE TO IN THE LAST FEW WEEKS WAS MY
2 FATHER WHO HAS WORKED IN THE AUTOMOBILE
3 INDUSTRY AND HE HAS A DEGENERATIVE NERVE
4 DISEASE, NEUROLOGICAL DISEASE, HIS MOTHER LIVED
5 TO A HUNDRED AND TWO, HE'S SEVENTY-SIX AND HE'S
6 GOT A COUPLE OF WEEKS LEFT PROBABLY HIMSELF.
7 AND WE WANT TO KNOW, MY BROTHERS AND SISTERS
8 AND I, WHY HE'S SICK, WE WANT TO KNOW IF IT'S
9 FROM HEAVY METALS IN HIS WORK OR IF IT'S FROM
10 ALL THE PESTICIDES AND FERTILIZERS WE USED AS
11 KIDS BECAUSE IT TELLS HOW WE DEAL WITH OUR
12 HEALTH. ALL OF THESE AREAS OF HEALTH STUDIES
13 AND HOW YOUR BODY REACTS TO THINGS, TO OUTSIDE
14 INFLUENCES, ARE VERY, VERY IMPORTANT TO ME TO
15 PROTECT THE WORK FORCE I'M RESPONSIBLE FOR, BUT
16 ALSO FOR ME TO DEAL WITH MY OWN HEALTH ISSUES.
17 SO I'LL BE HAPPY TO LOOK AT THAT BECAUSE I DO
18 HAVE SOME ABILITY TO INFLUENCE HOW THE
19 DEPARTMENT OF ENERGY LOOKS AT RESEARCH AND HOW
20 DO WE LOOK AT HEALTH ISSUES. I JUST TALKED TO
21 THE MAN WHO IS HEAD OF THE OFFICE OF SCIENCE,
22 DR. ORBACH, (PHOENETIC) ABOUT THIS ISSUE
23 SPECIFICALLY. WHAT IS IT THAT I NEED FROM THEM
24 IN MAKING SURE THE FUNDING THAT THE DEPARTMENT
25 SPENDS IN LOOKING INTO WAYS TO DETECT EFFECT ON

1 PEOPLE ARE SPENT IN THE RIGHT WAY THAT GET THE
2 BIGGEST BANG FOR YOUR TAX DOLLARS.

3 SPEAKER: ON 9/11 A LOT OF PEOPLE WENT
4 TO WORK AND THEY DIED THAT DAY. THESE PEOPLE
5 HAVE BEEN DYING FOR YEARS BY A SLOW TORTURE AND
6 I CAN'T WORK. IS THERE ANY IMMEDIATE FUND OR
7 ANY IMMEDIATE HELP AVAILABLE TO PEOPLE WHO,
8 LIKE ME, COULDN'T EVEN BE HERE IF IT WEREN'T
9 FOR THE CHARITY OF A FRIEND WHO BUYS MY
10 MEDICINE EVERYDAY? IS THERE ANY HELP AT ALL
11 BESIDES OUTSIDE OF OUR COMMUNITY?

12 MS. COOK: WE ARE BACK TO THIS
13 LEGISLATION IS A VERY GOOD FIRST START. IT WAS
14 VERY SPECIFIC.

15 SPEAKER: LET'S KEEP THAT ONE IN MIND.

16 MS. COOK: LET'S KEEP IT IN MIND AS A
17 FIRST START.

18 MR. LAWSON: BEFORE WE GO ANY FURTHER,
19 MS. COOK, YOU SAID THAT YOU WOULD LOOK INTO
20 SOMETHING. I'M SURE YOU WILL. HOW WOULD THAT
21 WORK? YOU WOULD FIND OUT SOMETHING AND GET
22 BACK TO THE PUBLIC INFORMATION OFFICER?

23 MS. COOK: THE BEST WAY FOR ME,
24 ESPECIALLY TO COMMUNICATE TO WORKERS LIKE YOU
25 IS IN FACT THE RESOURCE CENTERS THAT ARE SET

1 UP. AND ONE OF THE THINGS I'VE LOOKED AT
2 RECENTLY IS THERE ARE A LOT OF HEALTH STUDIES
3 GOING ON IN THIS COUNTRY, IN JAPAN, IN RUSSIA,
4 THERE'S A LOT OF STUFF OUT THERE AND I'M TRYING
5 TO PULL THAT ALL TOGETHER TO FIND THE BEST WAY
6 TO REALLY UTILIZE THE KIND OF INFORMATION THAT
7 IS OUT THERE. AND ALL KINDS OF MEDICAL
8 DIAGNOSTICS INFORMATION THAT IS OUT THERE. THE
9 BEST WAY FOR ME TO COMMUNICATE TO YOU ALL AND A
10 WAY THAT IS EASY TO GET TO IS IN FACT THE
11 RESOURCE CENTER AND LET ME LOOK AT A WAY THAT
12 WE CAN GET MORE INFORMATION TO THE RESOURCE
13 CENTER ABOUT UP AND COMING TECHNOLOGIES AND
14 WHAT THE POSSIBILITIES ARE FOR THOSE.

15 MR. LAWSON: THANK YOU VERY MUCH. THIS
16 LADY OVER HERE.

17 SPEAKER: MY NAME IS DONZETTA HILL AND
18 I'M NOT SURE IF I'M GOING TO GO FORWARD,
19 BACKWARD OR SIDEWAYS, I'M GOING TO TAKE A
20 LITTLE DIFFERENT ASPECT THAN PEOPLE THUS FAR
21 HAVE. I WORKED FOR DOE AS A SUBCONTRACTOR. I
22 WAS NOT LOCKHEED MARTIN AND I WORKED ON A SMALL
23 SUB, NOT AS A PRIME. MY MEDICAL PROBLEMS HAVE
24 MOUNTED OVER THE YEARS AND HAVE BEEN A
25 NIGHTMARE. I WAS ONE OF THE FIFTY-TWO WORKERS

1 THAT DR. LOCKY BURDEN FREEMAN EVALUATED. I
2 WORKED THROUGH THIS AS THE SOLE ENTITY OF THIS
3 LITTLE SUBCONTRACTOR PERSON AND WAS LUCKY
4 ENOUGH TO GET INCLUDED IN THAT STUDY BECAUSE I
5 HAD A BIG MOUTH. I WORKED UNDER IT ALSO WHEN
6 DR. MICHAELS, THE DIRECTOR, CAME DOWN THAT IF
7 ANY OF THE DOCTORS FOUND ANY MEDICAL,
8 OCCUPATIONAL, WORK-RELATED ILLNESSES THEY WOULD
9 BE PAID ACCORDINGLY, NO BURDEN OF PROOF WAS TO
10 BE PUT ON THE EMPLOYEE, THE SICK WORKER.
11 IMAGINE MY SHOCK WHEN I COME DOWN THE PIKE AND
12 I GET MY FINAL REPORT AND GUESS WHAT, BURDEN OF
13 PROOF IS BEING PUT BACK ON YOUR LITTLE
14 SUBCONTRACTOR AGAIN. NOT JUST ME AS A PERSON.
15 I'M SPEAKING FOR THE ADMINISTRATIVE SUPPORT
16 CONTRACTORS OUT THERE WHO DO NOT HAVE ACCESS TO
17 MEDICAL MONITORING. THEY MAY OR MAY NOT HAVE A
18 DOSIMETER, DEPENDING ON WHAT THE STATUS IS NOW.
19 I DID BUT I HAD NO MEDICAL MONITORING
20 WHATSOEVER, HAD NO KNOWLEDGE OF BEING EXPOSED
21 TO ANYTHING. I'M NOW FACING MY FOURTH LUNG
22 BIOPSY. I'M KNOCKING ON THE DOOR OF CHRONIC
23 BERYLLIUM DISEASE. I MET TWO OF THE CRITERIA.
24 THE COMPENSATION ACT WILL NOT HELP ME IN THE
25 LEAST UNLESS A MIRACLE HAPPENS. AND TO SAY

1 THAT WOULD BE IF I COME UP WITH CHRONIC
2 BERYLLIUM DISEASE. I MIGHT HAVE TO FIGHT THE
3 BATTLE TO GET IN YOUR DOOR. BUT YOU HAVE
4 ANOTHER AVENUE OF WORKERS THAT ARE BEING
5 EXPOSED THAT THE COMPENSATION BILLS WILL NOT
6 COVER. DOE IS NOT FOLLOWING THEIR OWN
7 DIRECTIVE. I HAVE A LETTER BACK FROM DOE
8 STATING THEY CANNOT MAKE THEIR SUBCONTRACTORS
9 PAY THEIR WORKMANS COMP BECAUSE THEY DON'T PAY
10 THEIR INSURANCE AS PART OF THEIR CONTRACT.

11 MR. TURCIC: DO YOU HAVE BERYLLIUM
12 SENSITIVITY?

13 SPEAKER: I HAVE BERYLLIUM SENSITIVITY.
14 I HAVE IT IN MY BLOOD, I HAVE FOUR ABNORMAL
15 PULMONARY FUNCTION TESTINGS AND, LIKE I SAID,
16 I'M GOING FOR MY FOURTH BIOPSY.

17 MR. TURCIC: UNDER THE DEPARTMENT OF
18 LABOR PROGRAM, IF YOU HAVE BERYLLIUM
19 SENSITIVITY, THEN YOU ARE ENTITLED TO THE
20 MONITORING. IF YOU FILE A CLAIM FOR BERYLLIUM
21 SENSITIVITY THEN THE MEDICAL BENEFITS FOR
22 MONITORING TO SEE IF YOUR BERYLLIUM SENSITIVITY
23 DOES TURN INTO CHRONIC BERYLLIUM DISEASE WILL
24 BE COVERED BY THE DEPARTMENT OF LABOR.

25 SPEAKER: UP UNTIL PRESENT TIME MY

1 MEDICAL INSURANCE HAS BEEN COVERING THAT. THIS
2 IS SOMETHING THAT HAS BEEN ENLIGHTENED TONIGHT.

3 MR. TURCIC: EVEN IF YOU FILE A CLAIM
4 AND ARE AWARDED A CLAIM FOR BERYLLIUM
5 SENSITIVITY, THE DEPARTMENT OF LABOR WOULD BE
6 FIRST PAYER AND PAY FOR THOSE MEDICALS.

7 SPEAKER: WOULD YOU COVER THE SMALL
8 CONTRACTORS? IS THERE A RESTRICTION ON WHO YOU
9 WILL PAY FOR?

10 MR. TURCIC: NO, IF THEY ARE A COVERED
11 EMPLOYEE, IF THEY WORKED FOR A CONTRACTOR OR A
12 SUBCONTRACTOR.

13 SPEAKER: TO DOE?

14 MR. TURCIC: YES. SO ALL THOSE FOLKS
15 ARE COVERED AND IF THEY HAVE BERYLLIUM
16 SENSITIVITY THEN THE DEPARTMENT OF LABOR WOULD
17 PAY FOR MONITORING.

18 SPEAKER: WOULD THIS ALSO APPLY IF THEY
19 COME UP WITH THE HEAVY METAL EXPOSURES AND
20 THERE IS A COHORT PUT IN?

21 MR. TURCIC: NO, IT ONLY COVERS
22 BERYLLIUM SENSITIVITY.

23 SPEAKER: AT THIS POINT. THIS IS
24 SOMETHING THAT THE LAWMAKERS NEED TO REVISE ON
25 THE BILL BECAUSE THERE IS A LOT OF ILLNESSES

1 CAUSED BY HEAVY METAL EXPOSURES.

2 MR. LAWSON: THANK YOU VERY MUCH, MA'AM.

3 YES, PLEASE.

4 SPEAKER: MY NAME IS R.L. AYERS. I CAME
5 HERE OCTOBER 1943. I WORKED DOWN AT THE K-25 U
6 BUILDING, BUT I'M NOT HERE THIS EVENING ON
7 ACCOUNT OF MYSELF. IT IS MY HUSBAND WHO IS IN
8 A NURSING HOME AND DYING WITH SILICOSIS OF THE
9 LUNGS. I HAVE GOTTEN EVERY RECORD AND FILLED
10 IT OUT, SENT IT DOWN TO JACKSONVILLE, FLORIDA,
11 SO UNTIL I CAME UP WITH HE WAS DIAGNOSED BEFORE
12 HE LEFT K-25 WITH SILICOSIS OF THE LUNGS
13 EVERYTHING SEEMED TO BE GOING ALL RIGHT. BUT
14 THEN WHEN I CAME UP WITH THOSE RECORDS AND SENT
15 THOSE DOWN THERE MS. YVETTE WATERS WROTE ME
16 KIND OF AN UGLY LETTER AND SAID THAT I SAID
17 THAT MY HUSBAND HAD, WHAT IS IT YOU GET FROM
18 SMOKING? EMPHYSEMA. SHE SAID NOW YOU CLAIM
19 THAT HE HAVE SILICOSIS. I DID NOT CLAIM IT.
20 THE DOCTOR DIAGNOSED IT. SO THEN SHE SAID THAT
21 UNLESS HE WORKED IN ALASKA OR NEVADA IS THE
22 ONLY WAY THEY WOULD PAY FOR SILICOSIS OF THE
23 LUNGS. I SAID, HE DID NOT HAVE IT WHEN HE WENT
24 TO K-25 BECAUSE IF HE HAD HAD SILICOSIS THEY
25 WOULD NOT HAVE HIRED HIM THERE. HE DIDN'T HAVE

1 ANYTHING WHEN HE WENT THERE BUT HE CAME OUT
2 WITH EVERYTHING. SO WILL THEY PAY FOR
3 SILICOSIS HERE IN TENNESSEE?

4 MR. TURCIC: SILICOSIS IS ONLY COVERED
5 FOR PEOPLE WHO MINED THE TUNNELS FOR THE
6 UNDERGROUND TESTS EITHER AT THE AMCHITKA TEST
7 SITE IN ALASKA OR THE NEVADA TEST SITE. THAT
8 IS THE ONLY PLACE, THE ONLY FACILITIES, THAT
9 SILICOSIS ARE COVERED UNDER THE DEPARTMENT OF
10 LABOR PROGRAM.

11 MS. COOK: DOE, AGAIN WHAT IS WITHIN THE
12 BILL THAT WE ARE, I DON'T WANT TO SAY BOXED IN,
13 BUT THIS IS THE FRAMEWORK WE ARE WORKING IN AND
14 THAT IS WE ASSIST WITH STATE WORKERS COMP AND
15 THAT WOULD ROLL INTO THAT. STATE WORKERS COMP,
16 AS YOU ALL KNOW, STATE WORKERS COMP DOES TWO
17 THINGS. IT PAYS FOR LOST WAGES AND IT PAYS FOR
18 UNPAID MEDICAL BILLS. THAT IS WHAT STATE
19 WORKERS COMP DOES. THAT'S WHAT IS IN THE
20 LEGISLATION, THAT IS WHAT IS IN THE BILL THAT'S
21 PASSED.

22 SPEAKER: WHY DOES IT KEEP SAYING THAT
23 IT IS COVERED IN TENNESSEE?

24 MS. COOK: FOR LOST WAGES AND UNPAID
25 MEDICAL BILLS, YES.

1 SPEAKER: I'M NOT GETTING ANYTHING.
2 NOTHING.

3 MS. COOK: WE HAVE TO GET THE FINAL RULE
4 OUT WHICH WENT THROUGH RULE-MAKING SO THAT HAS
5 NOT HAPPENED YET. YOU CAN APPLY FOR STATE
6 WORKERS COMP AT ANYTIME. WHAT WE ARE HOPING TO
7 DO IS FACILITATE THAT AND FOR THOSE CONTRACTORS
8 THAT WE CAN REACH OUT AND AFFECT WE WILL DO
9 THAT. BUT IT IS WITHIN THE STATE WORKERS COMP
10 FRAMEWORK THAT THIS LEGISLATION CURRENTLY
11 APPLIES.

12 MR. LAWSON: IS SHE GOING TO HAVE TO
13 REAPPLY OR IS SHE AUTOMATICALLY IN THE SYSTEM
14 AND WHEN THE LEGISLATION GETS CHANGED SOMEBODY
15 IS GOING TO COME TO HER? WHAT HAPPENS NEXT?

16 MS. COOK: WHAT HAPPENS NEXT IS WE ARE
17 TRYING TO SHARE RECORDS AS MUCH AS POSSIBLE
18 HERE. THERE ARE THINGS THAT COME TO THE DOL
19 PART, FOR INSTANCE, THE SILICOSIS ISSUE THAT IS
20 NOT IN THESE SPECIAL COHORT GROUPS AND THEN WE
21 ARE TRYING TO GET THOSE RECORDS MOVED OVER TO
22 GET THEM INTO THE DOE SUBTITLE D PORTION. SO
23 WE'RE TRYING TO FACILITATE THAT HAPPENING SO WE
24 WON'T, IN FACT, HAVE YOU GO BACK AND
25 REAPPLY FOR EVERYTHING.

1 MS. COOK: LIKE I SAID, WE ARE TRYING TO
2 CONSOLIDATE ALL THE INFORMATION. I CAN'T
3 REGENERATE PAST RECORDS. YOU KNOW THAT AND I
4 KNOW THAT. I CAN DO THINGS ABOUT THE FUTURE, I
5 CAN HELP AND TRY TO FACILITATE EVERYTHING WE'VE
6 GOT. WE'RE TRYING TO WORK FROM AFFIDAVITS ALSO
7 AS MUCH AS POSSIBLE. AND I'LL GUARANTEE YOU
8 THAT IT IS NOT MY INTENTION AT ANY POINT TO
9 LOSE ANYBODY IN THIS SYSTEM. I'M SERIOUS ABOUT
10 THE FACT THAT THESE ARE OUR WORKERS, THESE ARE
11 MY WORKERS, THESE ARE PEOPLE THAT I CARE ABOUT.
12 AND I CAN ONLY TELL YOU THAT. MOST OF YOU
13 DON'T KNOW ME. SOME OF YOU DO, BUT WE WILL
14 CONTINUE TO TRY TO WORK IN THESE DIFFICULT
15 CASES WHERE TREATMENT RECORDS DO NOT EXIST. I
16 WAS IN MEXICO A COUPLE OF WEEKS AGO AND THEY
17 WERE TRYING TO GET THE HOSPITAL TO COME UP WITH
18 RECORDS TOO, AND WE ARE GOING TO TRY TO REACH
19 OUT TO THE HOSPITALS TO MAKE SURE THAT THEY
20 PULL OUT EVERYTHING THAT THEY'VE GOT AROUND
21 ALSO TO GET HEALTH RECORDS OUT AND HELP
22 FACILITATE THIS.

23 MR. LAWSON: JUST ONE COMMENT BEFORE I
24 GO ON TO THE NEXT PERSON. IF ANYONE HAS A
25 PARTICULAR ISSUE THAT YOU NEED TO FOLLOW UP,

1 MAKE SURE THAT BEFORE YOU LEAVE TONIGHT YOU
2 HAVE LEFT YOUR NAME WITH SOMEBODY SO THAT
3 SOMEBODY CAN FOLLOW UP ON A PARTICULAR
4 SITUATION OR YOU CAN GET SOME HELP IN
5 JACKSONVILLE, OR WHATEVER. I DON'T WANT PEOPLE
6 TO COME AND SAY THEY HAVE A PROBLEM AND GO HOME
7 AND NOT KNOW WHAT THEIR NEXT STEP IS.

8 SPEAKER: I HATE TO SAY WHAT I WANT TO
9 SAY, BUT JACKSONVILLE DON'T CARE A THING IN THE
10 WORLD. NOTHING.

11 (APPLAUSE)

12 SPEAKER: WHAT BOTHERS ME IS THAT YOU
13 CAN START TO WORK AT, I'LL JUST SAY K-25
14 BECAUSE THAT IS WHERE ALL MY PROBLEMS STARTED,
15 K-25, THAT MY HUSBAND DID NOT HAVE SILICOSIS
16 BUT THEN HE GOT IT. AND NOW THEY SAY WE CAN'T
17 PAY FOR IT BECAUSE YOU WERE NOT OVER YONDER.

18 MR. LAWSON: THANK YOU VERY MUCH FOR
19 COMING, I APPRECIATE THAT. YES, SIR.

20 SPEAKER: MY NAME IS HARRY WILLIAMS AND
21 THIS IS DIRECTED TOWARD THE DOE PORTION OF
22 SUBTITLE D. I WOULD LIKE TO SAY HERE THE FOLKS
23 IN THE COALITION FOR HEALTHY ENVIRONMENT, WE
24 STARTED OUT WITH THIS LEGISLATION AND WE WENT
25 THROUGH CONGRESS WITH IT. WE NEVER WERE

1 SATISFIED WITH SUBPART D AND THE GENTLEMAN
2 TALKING ABOUT RENAL DISEASE, THAT WAS
3 ORIGINALLY INCLUDED IN THE ACT AND THEN IT WAS
4 TAKEN OUT AND NOW IN AN APRIL AMENDMENT UNDER
5 SUBTITLE B RENAL DISEASE IS BACK UP BEFORE THE
6 CONGRESS IN THE LEGISLATIVE PROCESS TO COME
7 BACK ONLINE. AND I HOPE THAT HAPPENS. DOE, IF
8 YOU ARE FOR YOUR WORKERS, MS. COOK, WHY ARE YOU
9 SPONSORING RULES AND REGULATIONS THAT ARE IN
10 DIRECT CONFLICT WITH YOUR WORKERS? FOR
11 INSTANCE, A THREE DOCTOR PANEL HAS TO HAVE ALL
12 THREE DOCTORS AGREE, THAT IS A DOE PROPOSAL.
13 THE DRAFT RULES AND REGULATIONS ON MAY 8TH
14 WHERE YOU ALL ARE ALLOWING THE CONTRACTOR A
15 METHOD OF CONTESTING THESE CLAIMS WHEN THE
16 COPIA (PHOENETIC) ITSELF IN THE ORIGINAL ACT
17 SAID THAT THAT WOULD NOT BE APPROPRIATE. AS A
18 MATTER OF FACT, THAT NOT ONLY VIOLATES THE
19 SPIRIT OF THE ACT, IT VIOLATES THE ACT ITSELF.
20 AND I WONDER WHAT DOE'S ROLE IS, IF YOU ARE
21 TRYING TO KEEP EMPOWERING PEOPLE TO THROW UP
22 THESE ROAD BLOCKS IN FRONT OF THESE WORKERS.
23 THESE PEOPLE ARE SICK, I'M SICK. I CAN'T
24 CONTINUE ON WITH A LARGE BUREAUCRATIC FIGHT
25 TRYING TO COME OVER EVERY STUMBLING BLOCK

1 GOING. IT IS NOT APPROPRIATE FOR DOE IN ANY
2 WAY, THEY ARE OUR NEMESIS, AND I SAY THAT WITH
3 A LOT OF AFFECTION. I DON'T WANT TO SOUND
4 CRUEL, BUT DOE IS MY BIGGEST NEMESIS IN LIFE.
5 I GIVE MY HEALTH TO THAT PLANT. I DON'T NEED
6 TO HEAR ANYTHING ELSE FROM ANYBODY ELSE BECAUSE
7 SECRETARY RICHARDSON SAID IT VERY WELL. WE
8 PLACED YOU IN HARM'S WAY, WE PUT YOU IN UNSAFE
9 CONDITIONS. AND I EXPECT DOE TO COME ALONG AND
10 SUPPORT US IN AMENDMENTS TO THIS LEGISLATION
11 AND TRY TO HELP US GET SUBTITLE D AND THE OTHER
12 WEAKNESSES CORRECTED. BUT HOW ARE YOU GOING TO
13 DO THAT IF YOU KEEP COMING UP, I WOULD LIKE FOR
14 SOMEBODY TO EXPLAIN TO ME, LET'S SEE WHAT I'VE
15 GOT RIGHT HERE, (READING) WHAT IT IS SAYING
16 HERE IS THAT YOU ALL WILL PAY THE CONTRACTOR
17 FOR CERTAIN COSTS ASSOCIATED WITH FIGHTING A
18 CLAIM. AND I HAVE A WHOLE LIST OF OTHER THINGS
19 HERE THAT I CAN'T SEE THEM WELL ENOUGH TO GET
20 THEM ALL RIGHT NOW. BUT WHAT IS DOE'S
21 RESPONSE?

22 MS. COOK: FIRST OFF, LET ME MAKE IT
23 EXTREMELY CLEAR HERE. I'M A STRONG BELIEVER IN
24 FREEDOM OF THE PRESS, SO ARE ALL OF YOU,
25 DOESN'T MEAN IT IS TRUE. THERE IS NO SUCH

1 THING AS A MAY 8TH DRAFT OF THE RULE. THERE
2 WAS ALL KINDS OF VERSIONS OF THE RULE SINCE
3 COMMENTS WERE MADE LAST FALL. WHATEVER DRAFT
4 GOT OUT IN MAY IS NOT THE DRAFT THAT IS THERE
5 NOW. IT'S NOT WHAT WE'VE GOT IN THE FINAL
6 RULE. WE DON'T INTEND TO COMPENSATE ANY
7 CONTRACTOR TO FIGHT A CLAIM. I HAVE NO
8 INTENTION OF DOING THAT. NOW IT DOES NOT SAY
9 THAT IN THE RULE AND THAT IS NOT WHAT IS GOING
10 TO HAPPEN.

11 SPEAKER: IT SAYS IT IN MY INFORMATION
12 HERE. I DON'T KNOW WHAT YOU HAVE RIGHT AT THIS
13 MINUTE. BUT THAT IS GOOD NEWS, IF IN FACT THAT
14 IS THE WAY IT IS.

15 MS. COOK: GOOD, I'M GLAD YOU SEE THAT
16 AS GOOD NEWS, SO DO I BECAUSE I DON'T INTEND TO
17 DO THAT. THERE'S STILL A LOT OF COMPLICATIONS.
18 I HAVE SPOKEN TO THE DEPUTY SECRETARY BOTH AT
19 HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF
20 LABOR AND WE WANT TO WORK VERY CLOSELY
21 TOGETHER, AS THREE DIFFERENT AGENCIES, TO
22 IDENTIFY AND WORK WITH PEOPLE ON THE HILL ON
23 WHAT THINGS MIGHT WORK BETTER, WE ARE WITHIN
24 OUR ABILITY AS AGENCIES TO DO AND WHICH THINGS
25 MIGHT REQUIRE CHANGES IN LEGISLATION. YOU ALL

1 HAVE TO CONTINUE TO BE A PART OF THAT PROCESS.
2 YOU'VE GOT TO IDENTIFY THOSE THINGS. REMEMBER
3 WE ARE ALL TAXPAYERS TOO, WE WANT TO KNOW WHAT
4 WE WANT TO SPEND OUR MONEY ON AS TAXPAYERS.
5 BUT THERE ARE SIGNIFICANT THINGS THAT ARE
6 LISTED IN SOME OF THE LATEST PRESS THAT SAY DOE
7 IS DOING THIS OR NOT THAT ARE JUST ABSOLUTELY
8 INACCURATE. AND ONE OF THEM IS COMPENSATING
9 COMPANIES TO FIGHT THESE CLAIMS. THAT IS NOT
10 GOING TO HAPPEN.

11 SPEAKER: I'LL TAKE YOUR WORD ON THAT,
12 BUT AS SOON AS I GET UP TOMORROW TO MAKE
13 CERTAIN THAT IS THE WAY IT IS.

14 MS. COOK: IF IT WOULD BE OUT TOMORROW,
15 LET ME TELL YOU, I'D BE A HAPPY CAMPER.

16 SPEAKER: YOU WILL CERTAINLY HEAR FROM
17 ME.

18 MS. COOK: I EXPECT TO.

19 SPEAKER: ANSWER ME ON THE DOCTORS
20 PANEL. WHY YOU WANT AN ABSOLUTE VOTE ON IT
21 RATHER THAN A MAJORITY. WHAT ROLE DOES DOE
22 HAVE IN THAT?

23 MS. COOK: THE LIST OF DOCTORS FIRST OFF
24 ON THOSE PANELS, IN FACT, WAS NOT A LIST THAT
25 DOE COULD GENERATE. THEY HAD TO BE PROVIDED TO

1 US BY NIOSH AND THEY DID. THEY GAVE US A LIST
2 OF DOCTORS AND WE ARE WORKING THROUGH THE
3 PROCEDURES RIGHT NOW. I WILL TELL YOU I DON'T
4 KNOW HOW, I CAME INTO THIS JOB IN FEBRUARY AND
5 I'M NOT SURE HOW WE GOT TO THE UNANIMOUS
6 DECISION, BUT I'M ACTUALLY A LITTLE SURPRISED
7 THAT I DIDN'T ASK THAT QUESTION MYSELF. AND
8 I'LL FIND THAT OUT, HOW IT GOT TO THE POINT OF
9 BEING A UNANIMOUS VOTE OF THREE DOCTORS ON A
10 DOC PANEL. BUT I'LL FIND OUT.

11 SPEAKER: ONCE AGAIN, CONGRESSMAN ED
12 WHITFIELD HAS SOME INFORMATION OUT ABOUT WHAT I
13 WAS TALKING ABOUT HERE, AND I TAKE IT HE HAS
14 THE WRONG INFORMATION TOO.

15 MS. COOK: I UNDERSTAND THAT MANY OF THE
16 CONGRESSMEN HAS A VERSION THAT CAME OUT
17 SOMEWHERE AROUND MAY 8TH THAT FLOATED AROUND.
18 THAT IS NOT THE VERSION OF THE RULE THAT WE ARE
19 GOING WITH.

20 SPEAKER: FROM MY PERSONAL POSITION
21 HERE, I DON'T THINK DOE NEEDS TO BE INVOLVED IN
22 THIS. I THINK THEY NEED TO FURNISH DATA AND
23 LET DOL, NIOSH, WHOEVER, BUT DOE DOES NOT NEED
24 TO BE INVOLVED IN THIS PROGRAM AT AN
25 ADMINISTRATIVE LEVEL AND THE PROBLEMS WITH THIS

1 PROGRAM ARE LEGISLATIVE FIXES, NOT
2 ADMINISTRATIVE FIXES, BECAUSE IF THIS MAY 8TH
3 DRAFT IS ANY SIGN, IF IT IS IN FACT TRUE, AND
4 ONCE AGAIN I ACCEPT YOUR WORD FOR RIGHT NOW
5 THAT IT'S NOT, THEN PROMULGATION OF RULES AND
6 REGULATIONS BY DOE IS NOT GOING TO BE THE WAY
7 TO FIX THIS RULE.

8 MR. LAWSON: THANK YOU, SIR, AND IF YOU
9 HAVE ANYTHING YOU'D LIKE TO SUBMIT, PLEASE FEEL
10 FREE TO DO SO. THIS LADY OVER HERE PLEASE.

11 SPEAKER: MY NAME IS JANET MICHELLE, I'M
12 A FIRST GENERATION OAK RIDGER. BOTH OF MY
13 PARENTS WORKED AT K-25 AND THEY MET WHILE THEY
14 WERE WORKING THERE AND I WAS CONCEIVED WHILE
15 THEY WERE WORKING THERE.

16 MS. COOK: I HOPE NOT AT WORK. I
17 COULDN'T PASS THAT UP.

18 SPEAKER: I KNOW I WALKED RIGHT INTO
19 THAT. I WOULD LIKE TO SAY ONE THING TO FOLLOW
20 UP ON WHAT HARRY SAID; AND THAT IS IF IT IS
21 TRUE IN THE RULE THAT THOSE PHYSICIANS PANELS
22 HAVE TO COME TO A UNANIMOUS DECISION, I HOPE
23 THAT DOE WILL DO SOMETHING TO CHANGE THAT
24 BECAUSE THAT RULE IS IMPLEMENTED BECAUSE THAT
25 IS SO UNFAIR. THE SUPREME COURT DOES NOT HAVE

1 TO BE UNANIMOUS, THE COURT OF APPEALS DON'T
2 HAVE TO BE UNANIMOUS. THIS IS RIDICULOUS.

3 (APPLAUSE)

4 MS. COOK: UNDERSTOOD.

5 SPEAKER: JUST A COUPLE MORE WORDS ABOUT
6 THE DOSE RECONSTRUCTION. THERE SEEMS TO BE A
7 CONFLICT OF INTEREST WITH THE CONTRACTORS THAT
8 HAVE BEEN BIDDING ON THE NIOSH CONTRACTS TO
9 HELP THEM BECAUSE MANY OF THOSE PEOPLE HAVE
10 BEEN PAID EXPERT WITNESSES IN WORKERS
11 COMPENSATION CLAIMS. HOW CAN WE EXPECT THEM TO
12 BE FAIR? I THINK THAT IS A VERY FUNDAMENTAL
13 PROBLEM. WE ALSO KNOW THAT A HEALTH PHYSICIST
14 FROM PORTSMOUTH TESTIFIED AT A GOVERNMENTAL
15 AFFAIRS SENATE COMMITTEE HEARING IN MARCH OF
16 2000, HE WAS TOLD BY HIS SUPERIORS TO CHANGE
17 RECORDS IN THE DOSIMETRY PROGRAM AT PORTSMOUTH.
18 AND WE KNOW THIS KIND OF THING HAPPENED AT ALL
19 THE SITES. SO I HOPE THAT YOUR PROCEDURES THAT
20 YOU ARE PUTTING IN PLACE TO PUT THINGS IN FAVOR
21 OF THE WORKERS WILL BE TRUE BECAUSE THERE IS
22 JUST TOO MANY PROBLEMS WITH THE DOSE
23 RECONSTRUCTION PROCESS. IN ADDITION, I WAS, I
24 HAD CYANIDE POISONING WHEN I WORKED AT THE
25 SITE. I WAS TOLD BY INDUSTRIAL HYGIENE THAT I

1 WOULD BE WEARING A HALTER MONITOR AND THAT MY
2 WORK PLACE WOULD BE MONITORED. NONE OF THOSE
3 THINGS EVER HAPPENED. I LEFT THE SITE, I DID
4 NOT GET WELL, I CONTINUED TO RECEIVE TESTING,
5 NOT BY DOCTORS IN THIS AREA, I HAD TO GO TO
6 NASHVILLE TO GET THAT TESTING DONE, AND FOUND
7 OUT THAT I HAD NICKLE AND MERCURY POISONING.
8 AND I FOUND OUT LATER THAT I WORKED IN A
9 BUILDING THAT HAD A HIGH RISK OF EXPOSURE FOR
10 NICKLE AND MERCURY. THERE WERE NO RECORDS AT
11 ALL KEPT ON THOSE KINDS OF EXPOSURES. WE HAVE
12 NOTHING TO GO BY ON THAT. HOWEVER, I DO HAVE
13 LAB REPORTS THAT SHOW NICKEL AND MERCURY COMING
14 OUT OF MY BODY IN MY URINE. AGAIN, WE DON'T
15 HAVE THE DOCTORS HERE TO BACK US UP AND THERE
16 ARE NO RECORDS TO BACK US UP FROM THE WORK
17 PLACE ON TOXIC EXPOSURES. I HAVE MANY HEALTH
18 PROBLEMS ASSOCIATED WITH THESE HEAVY METAL
19 EXPOSURES. HARRY COVERED A LOT OF THE STUFF
20 ABOUT THE CONTRACTORS. I JUST WANTED TO ADD
21 THAT I THINK THAT THE CLAIMANTS SHOULD BE
22 ASSISTED AND REIMBURSED FOR EXPENSES INCURRED
23 IN TRYING TO DEVELOP THEIR MEDICAL RECORDS FOR
24 THEIR TESTING AND DIAGNOSIS. I KNOW PEOPLE WHO
25 WERE SO SICK AT WORK THEY STRUGGLED TO HANG ON

1 COMING TO WORK EVERYDAY. THEY FINALLY WENT TO
2 PART TIME, WHICH MEANT THEY LOST THEIR
3 BENEFITS. EVENTUALLY THEY GOT TOO SICK TO COME
4 TO WORK AT ALL. SO NOW THEY HAVE NOTHING. AND
5 THEY HAVE NO WAY TO PUT A PICTURE TOGETHER OF
6 WHAT HAS HAPPENED TO THEM. THESE PEOPLE NEED
7 HELP AND EVEN THOSE OF US THAT HAVE THE
8 INSURANCE; IT IS HORRIBLE BECAUSE WE CAN'T GET
9 THE DOCTORS AROUND HERE TO TEST US FOR THE
10 THINGS THAT NEED TO BE TESTED FOR. WE HAVE TO
11 GO OUT OF STATE.

12 (APPLAUSE)

13 SPEAKER: I WOULD LIKE TO ADD THAT THE
14 LIST OF RADIOGENIC CANCERS NEEDS TO BE EXPANDED
15 TO AT LEAST BE AS LONG AS THE CANCERS THAT THE
16 MARSHALL ISLANDERS WERE REIMBURSED FOR. THEY
17 WERE EXPOSED TO ABOVE GROUND TESTING AND THE
18 ELEMENTS THAT THEY WERE EXPOSED, WHETHER
19 TRANSURANICS OR FISSION PRODUCTS, WERE THE SAME
20 ELEMENTS THAT WE WERE EXPOSED TO HERE IN OAK
21 RIDGE. MAYBE NOT IN THE SAME QUANTITIES, BUT
22 THEY WERE THERE AND MANY OF THEM DON'T TAKE
23 VERY MUCH TO HAVE AN EFFECT ON THE BODY. SO BE
24 THAT AS A MESSAGE TO BOTH THE ADMINISTRATION
25 REPRESENTATIVES AND ALSO THE CONGRESSIONAL

1 REPRESENTATIVES THAT ARE HERE, THAT IS
2 SOMETHING THAT NEEDS TO BE INCLUDED IN ANY
3 REVISIONS OF THIS LAW. I JUST WANT TO ALSO SAY
4 THAT THE COMPENSATION AMOUNT OF A HUNDRED AND
5 FIFTY THOUSAND DOLLARS IS A COMPLETE AND TOTAL
6 INSULT. WHEN PEOPLE I KNOW SPENT OVER A
7 HUNDRED THOUSAND DOLLARS A YEAR, THEIR
8 INSURANCE PAYS FOR PART OF IT AND THEY PAY FOR
9 PART OF IT A YEAR ON THEIR MEDICAL EXPENSES.
10 WHEN WE HAVE PEOPLE THAT WERE INJURED BY THE
11 TERRORISTS RECEIVING AN AVERAGE OF TWO POINT
12 SEVEN MILLION, HOW DOES A HUNDRED AND FIFTY
13 THOUSAND STACK UP TO THAT? IT IS AN INSULT. I
14 ALSO WANT TO EMPHASIZE TO THE CONGRESSIONAL
15 REPRESENTATIVES THAT OFTEN IN THE PAST WHEN YOU
16 HAVE LANDMARK LEGISLATION IT IS NOT PERFECT THE
17 FIRST TIME. THE ENVIRONMENTAL LAWS THAT WERE
18 PASSED IN THE SEVENTIES; CORPORATIONS FOUND
19 WAYS AROUND THEM. CONGRESS HAD TO COME BACK
20 AND BE VERY PRESCRIPTIVE ABOUT WHAT THEY WANTED
21 TO HAPPEN AND THIS IS WHAT NEEDS TO HAPPEN WITH
22 THIS LAW. IT IS GOING TO HAVE TO BE MORE
23 PRESCRIPTIVE IN ORDER TO BE MORE FAIR. WE NEED
24 YOU BOTH IN THE ADMINISTRATION AND OUR
25 REPRESENTATIVES IN CONGRESS, WE NEED YOU TO BE

1 THE LEADERS TO HELP US TO MAKE THIS LAW MORE
2 FAIR AND MORE JUST. THANK YOU.

3 MR. LAWSON: THANK YOU. WE'RE CLOSING
4 DOWN TO ABOUT EIGHT O'CLOCK, IT'S ABOUT TEN OR
5 ELEVEN MINUTES OF. AT EIGHT O'CLOCK WE'LL
6 BREAK WITH THE FORMAL PART OF THIS, BUT ANY OF
7 YOU WHO WOULD LIKE TO STAY AND TALK WITH ANY OF
8 THESE THREE INDIVIDUALS ON THE PANEL AFTERWARD,
9 ARE CERTAINLY WELCOME TO DO SO. I'M GOING TO
10 TAKE A FEW PEOPLE BUT I WILL TELL YOU WHEN THE
11 LAST PERSON, WE'LL PROBABLY TAKE AT LEAST TWO
12 MORE AND MAYBE A THIRD, WE'LL SEE. PLEASE.

13 SPEAKER: THANK YOU. MY NAME IS KITTY
14 MCNAMARA AND I'M HERE ON BEHALF OF MY FAMILY
15 CARRYING ON WHAT MY FATHER FOUGHT FOR YEARS FOR
16 AND IN 1998 HE FINALLY DIED ENCOURAGING US TO
17 CONTINUE. HE WAS BURNED BY BERYLLIUM. THE
18 FIRST PERSON TO EVER CUT IT, BUT HE WAS TOLD
19 THAT HIS SYMPTOMS DID NOT MEET WITH THE KNOWN
20 SYMPTOMS, EVEN THOUGH NOBODY ELSE HAD EVER BEEN
21 BURNED BY IT. HE CAME TO WORK AT Y-12
22 FOLLOWING IN HIS PARENTS' FOOTSTEPS WHO DIED OF
23 CANCER OF THE KIDNEY AND BONES AND ABDOMINAL
24 CANCER COLLECTIVELY IN THEIR EARLY FIFTIES. I
25 NEVER GOT TO EVEN MEET THEM. UNFORTUNATELY, MY

1 FATHER HAD MEDICAL RECORDS, ONE ON TOP OF
2 ANOTHER, HE HAD A THORACIC SURGEON WHO WAS
3 WILLING TO TELL HIM VERBALLY THAT HE KNEW THAT
4 THE FLUID BUILD-UP AND THE PROBLEMS IN HIS
5 LUNGS WERE FROM THE BERYLLIUM EXPOSURE, BUT HE
6 STATED OPENLY TO MY PARENTS, IF I PUT THIS ON
7 PAPER, I'LL BE RUINED. I WON'T WORK AGAIN.
8 DOE AND THE GOVERNMENT WILL RUIN ME. HE WAS
9 TOLD THIS BY MORE THAN ONE DOCTOR. I CAN'T
10 DOCUMENT THIS. WHEN WE REQUESTED HIS MEDICAL
11 RECORDS FROM Y-12, THERE WERE ACTUALLY PLACES
12 WHERE THEY HAD GONE THROUGH WITH BLACK MARKERS
13 AND MARKED THINGS OUT. MY TWO YOUNGER SISTERS;
14 ONE WAS CONCEIVED WITHIN ABOUT THREE MONTHS OF
15 WHEN HE WAS EXPOSED, NOW HAS MAJOR MEDICAL
16 PROBLEMS, SHE HAS BLOOD DYSCRASIA. THE OTHER
17 ONE WAS BORN THIRTEEN MONTHS AFTER HER. SHE'S
18 HAD MAJOR MEDICAL PROBLEMS. ALL ALONG THE LINE
19 NOBODY WOULD TEST, LIKE THIS LADY SAID PREVIOUS
20 TO ME, DOCTORS JUST SHOOK THEIR HEADS AND SAID,
21 I CAN'T TEST YOU. IF I TEST YOU, I'LL GET IN
22 TROUBLE AND I'LL PAY THE PRICE. HE SAID, JUST
23 REFER ME TO SOMEBODY. THEY SAID, YOU CAN'T
24 EVEN AFFORD THE TESTS YOU WOULD NEED. MELANIE
25 DAKE FROM MARTIN MARIETTA, THREE YEARS BEFORE

1 MY DADDY DIED, PROMISED TO SEND HIM THE FORMS
2 SO THAT HE COULD FILL THEM OUT AND THEY WOULD
3 PAY FOR THE TESTING. AFTER MULTIPLE PHONE
4 CALLS, HE STILL NEVER GOT THE FORMS, NEVER GOT
5 THE TESTING. WE WERE AT THE MEETING AT THE
6 MUSEUM AND WE ASKED SPECIFICALLY WHAT DO WE DO.
7 WE HAVE MEDICAL RECORDS DOCUMENTING HIS
8 EXPOSURE, HIS BURNS, HIS MEDICAL PROBLEMS AFTER
9 THAT. WE WERE TOLD BY THAT PANEL; IF YOU CAN
10 PROVE TO US, SHOW US THE MEDICAL RECORDS
11 PROVING HE WAS EXPOSED AND HE HAD THESE MEDICAL
12 PROBLEMS AFTERWARDS, YOU WILL QUALIFY. WE
13 ASKED TWO DIFFERENT TIMES IN TWO DIFFERENT WAYS
14 TO MAKE SURE. MY MOTHER SUBMITTED THE CLAIM,
15 SHE WAS TURNED DOWN OUTRIGHT. YOU DON'T HAVE
16 THE PROPER TESTING. SHE CALLED UP AND SAID,
17 WHAT DO I DO NEXT. CAN I GET AN APPEAL, CAN I
18 GET AN INTERVIEW. RESUBMIT AGAIN. WE'LL LOOK
19 AT IT AGAIN. THAT IS THEIR ANSWER. WE FEEL
20 PERSONALLY THAT THESE TASKS FORCE, OR WHOEVER
21 THE PEOPLE ARE THAT ARE PAID TO LOOK AT THESE,
22 ARE WORKING DILIGENTLY TO KEEP US FROM GETTING
23 THESE PAYMENTS RATHER THAN ALLOWING US TO GET
24 THEM. WE ARE BEING PUNISHED BECAUSE MY DADDY
25 DIDN'T HAVE THE PROPER RECORDS. HE WAS

1 DISCHARGED IN 1973. HE WADED UP TO HIS ANKLES
2 IN RADIATION-FILLED WATER, HE WOULD HAND HIS
3 DOSIMETER IN AND IT WOULD SET THE METERS OFF
4 AND THEY WOULD FALSIFY THE NUMBER AND TELL HIM
5 TO GO ON.

6 MR. LAWSON: LET'S HAVE A RESPONSE.

7 SPEAKER: HOW DO WE PROVE THAT MY DADDY,
8 WHEN HE WAS RETIRED WITH FOUR CHILDREN NOT EVEN
9 OUT OF HIGH SCHOOL YET, SUFFERED A DISEASE THAT
10 NOBODY WAS WILLING TO ADMIT TO? MY MOTHER IS
11 LIVING ON A LIMITED INCOME, HIS SOCIAL
12 SECURITY, BECAUSE HE RETIRED AT FORTY-SEVEN ON
13 MEDICAL, HE NEVER EVEN GOT A CHANCE TO EVEN GET
14 FULL SOCIAL SECURITY. SHE'S ON A VERY LIMITED
15 INCOME. HOW DO WE GET A CHANCE WHEN WE CAN'T
16 EVEN GET PAST THE REVIEWER WHO AUTOMATICALLY
17 SAYS; NO TESTS, FORGET IT.

18 MR. TURCIC: ARE YOU REFERRING TO A
19 FEDERAL CLAIM OR A STATE CLAIM?

20 SPEAKER: THE ONE THAT WENT TO
21 JACKSONVILLE.

22 MR. TURCIC: I DON'T UNDERSTAND WHERE
23 THIS ISSUE OF RECONSIDERATION OR RESUBMISSION
24 BECAUSE THAT IS NOT PART OF THE PROCESS. THE
25 PROCESS WOULD BE, YOU MAY HAVE GOTTEN A

1 DEVELOPMENTAL LETTER. YOU MAY HAVE GOTTEN A
2 LETTER THAT IS DEVELOPING THE MEDICAL ASKING
3 YOU TO SUBMIT THE MEDICAL INFORMATION.

4 SPEAKER: NO, WE GOT A LETTER DENYING.

5 MR. TURCIC: THERE IS NO PART OF THE
6 PROCESS OF ANYTHING OF RESUBMITTING, THE
7 PROCESS IS YOU WOULD GET A RECOMMENDED DECISION
8 AT WHICH TIME YOU COULD ASK FOR A HEARING OR
9 YOU COULD ASK FOR A REVIEW OF THE RECORD. BUT
10 THERE IS NO SUCH THING.

11 SPEAKER: WE GOT A LETTER SAYING YOU
12 CAN'T MEET TWO OF THE FIVE CRITERIA, YOU ARE
13 DENIED. MY MOTHER CONTACTED THEM AND SAID,
14 WHAT CAN I DO TO HAVE THIS RECONSIDERED. THEY
15 SAID, RESUBMIT YOUR CLAIM AGAIN WITH ALL OF THE
16 SAME DOCUMENTATION.

17 MR. TURCIC: MA'AM, I'M NOT DENYING YOU
18 WERE TOLD THAT. THAT IS NOT THE PROCESS.

19 SPEAKER: WELL, WHEN YOU HAVE GOT PEOPLE
20 THAT DON'T KNOW YOUR PROCESS AND I THINK, FROM
21 WHAT I'VE BEEN HEARING TONIGHT HERE, YOU'VE GOT
22 PEOPLE THAT DON'T KNOW YOUR PROCESS THAT ARE
23 MAKING DECISIONS THAT ARE AFFECTING PEOPLE. MY
24 MOTHER IS SIXTY-EIGHT YEARS OLD.

25 MR. TURCIC: DID YOU RECEIVE A

1 RECOMMENDED DECISION OR JUST A LETTER FOR
2 MEDICAL?

3 SPEAKER: SHE CAN SPEAK MORE TO THAT.
4 THE LETTER DENIED THE CLAIM.

5 MR. TURCIC: NO, THE LETTER CAN'T --

6 SPEAKER: IT DID.

7 MR. TURCIC: EVEN A RECOMMENDED DECISION
8 IS NOT, I NEED TO STRESS THIS SO PEOPLE
9 UNDERSTAND. A DENIAL, UNTIL IT IS A FINAL
10 DECISION, THERE IS NO DENIAL UNTIL IT'S A FINAL
11 DECISION.

12 SPEAKER: IT WAS DENIED AND WHEN I
13 TALKED TO HER BY PHONE THEN, WHAT DO I DO, SHE
14 SAID, YOU MUST HAVE THESE FIVE CRITERIA.

15 MR. TURCIC: THREE OF THE FIVE.

16 SPEAKER: WELL, ANYWAY I HAD TO HAVE THE
17 TOTAL OF FIVE. I'M TELLING HER I HAVE THE FORM
18 AT OAK RIDGE THAT SHOWS HE WAS BURNED, THAT A
19 DOCTOR TENDED TO HIM THROUGH OAK RIDGE, WE GOT
20 THE THINGS THAT HAD ALL THIS STUFF BLACKED OUT
21 WITH A MARKER. WHAT WERE THEY TRYING TO
22 ATTEMPT TO DO THERE? IT WAS TURNED DOWN BUT
23 SHE SAID I COULD RESUBMIT EVERYTHING AGAIN.
24 AND I SAID, BUT I SENT YOU COPIES. WELL, SEND
25 ME MORE COPIES. WE WILL REVIEW IT, OR WHETHER

1 SHE USED THAT TERM OR NOT, WE'LL GO OVER IT
2 AGAIN, BUT IF YOU DON'T HAVE THIS MATERIAL, YOU
3 WILL BE TURNED DOWN AGAIN JUST FLAT. SO A
4 LETTER WENT OUT THEN BY FAX. I CAN'T GET IT
5 READY IN THIRTY DAYS, I CAN'T, I HAVE SEARCHED
6 HOSPITALS, I'VE SEARCHED DOCTORS FOR FORTY
7 YEARS. I HAVE GOT HIS DOCTOR WHO DID HIS FIRST
8 BRONCHOSCOPY WHO SAID THAT HE COULD NOT PUT
9 DOWN THERE THAT IT WAS BERYLLIUM, BUT HE WAS
10 SURE IT WAS. HE IS EIGHTY YEARS OLD, HE DOES
11 NOT HAVE RECORDS THAT ARE FORTY YEARS OLD. ONE
12 OF HIS DOCTORS THAT WAS TENDING TO HIM DIED.
13 HIS RECORDS ARE GONE. OUR FAMILY PHYSICIAN WHO
14 FIRST SENT HIM TO THE THORACIC SURGEON IS
15 RETIRED. HIS MATERIAL, HIS FILES, ARE GONE.
16 WHAT DO YOU DO? I CAN'T GET A DOSIMETER
17 READING. AND FOR YEARS MY HUSBAND BELIEVED YOU
18 DON'T SAY ANYTHING ABOUT CARBIDE. LIKE THE
19 MILITARY. YOU GO TO YOUR DEATH NOT SHARING
20 INFORMATION. AND HE WAS REALLY ANGRY AT WHAT
21 HAD BEEN TRANSPIRED. HE SENT HIS RECORDS TO A
22 LAWYER WHO HAD SETTLED ONE CASE AND THIS LAWYER
23 IN CHATTANOOGA AND HE SAID, YES, I CAN HELP
24 YOU. GUESS WHAT? WE GOT THE STACK BACK. I'M
25 SORRY, I CAN'T HELP YOU. SO WHO SQUEEZED THIS

1 LAWYER?

2 MS. COOK: LET ME JUST SAY THIS. WE
3 NEED TO GET, I WOULD LIKE TO MAKE SURE THAT
4 PETE AND I ARE TOGETHER AND WE FOLLOW UP AND
5 FIND OUT WHAT WE CAN DO NEXT FOR YOU AND FIND
6 OUT HOW TO GO FORWARD. I WILL ABSOLUTELY AGREE
7 WITH YOU THAT THIS IS VERY COMPLICATED AND SOME
8 OF THE LETTERS THAT I HAVE SEEN GO BACK AND
9 FORTH, LIKE I SAID, I HAVE SPENT A LOT OF TIME
10 WITH UNION WORKERS AND MY FAMILY ARE ALL UNION
11 WORKERS, I'LL JUST TELL YOU THAT. AND MY
12 FATHER LOOKED AT A LOT OF LETTERS HE GOT FROM
13 FOLKS SAYING I DON'T KNOW WHAT THIS MEANS, BUT
14 IT SURE DOES NOT LOOK GOOD TO ME. WE'VE GOT TO
15 START WORKING AT HOW WE COMMUNICATE SO THAT
16 EVERYONE CAN BETTER UNDERSTAND WHERE YOU ARE IN
17 THE PROCESS AND WHAT IT MEANS NEXT. BUT LET US
18 TAKE A LOOK SPECIFICALLY AT YOUR CASE TO SEE
19 WHAT ELSE WE CAN DO TO HELP.

20 MR. LAWSON: MAKE SURE YOU GIVE YOUR
21 NAME.

22 SPEAKER: I WILL. CAN I JUST SAY ONE
23 LAST THING, PLEASE, AND I KNOW YOU'RE ON THIS
24 TIME SCHEDULE. I'M AN RN AND TO ME DOE HAS
25 BEEN DOING TO US WHAT I WOULD SAY A PATIENT

1 WOULD SAY TO ME IF I WALKED UP TO THEM AND SAID
2 YOU DON'T NEED THIS TEN O'CLOCK DOSE OF
3 MEDICATION, ALTHOUGH YOU ARE VERY SICK, BECAUSE
4 I HAVE MADE UP MY MIND YOU DON'T NEED IT. AND
5 I THINK THAT IS WHAT DOE AND THE OTHERS ARE
6 TRYING TO DO TO US. YOU ARE TRYING TO CRAM US.

7 (APPLAUSE)

8 MR. LAWSON: I SEE FOUR PEOPLE HERE. I
9 WANT TO TAKE ALL FOUR OF YOU, BUT I'M GOING TO
10 ASK ALL FOUR OF YOU TO BE VERY QUICK, LIKE A
11 MINUTE, IF YOU CAN SO THE PEOPLE WHO'VE BEEN
12 WAITING A LONG TIME WOULD BE ABLE TO TALK TO
13 THESE FOLKS. PLEASE, MA'AM.

14 SPEAKER: MY NAME IS ELIZA ROBINSON AND
15 I WORKED AT K-25 EIGHTEEN YEARS. AND I WENT TO
16 OAK RIDGE HOSPITAL THIRTY-SIX TIMES OUT OF THE
17 EIGHTEEN YEARS WHEN THEY WOULD SEND ME TO WORK
18 IN THE MAIL ROOM. I COULD NOT BREATHE AND THEY
19 WOULD SEND ME AND DR. FORTNEY WOULD SAY, YOU
20 WILL HAVE TO GO TO THE HOSPITAL. AND I WOULD
21 HAVE MY THROAT BURNING AND THEY WOULD GIVE ME
22 SOME KIND OF MEDICINE AND KEEP ME UP THERE
23 WEEKS AT A TIME. AND THEN DR. THOMAS CAME OUT
24 THERE. I HAD THE SAME THING EVERY TIME THEY
25 WOULD SEND ME TO THE MAIL ROOM TO WORK. AND I

1 HAVE GOT THYROIDS, I'VE GOT A GOITER AND I'M ON
2 OXYGEN. AND THIS IS WHAT I CAN'T UNDERSTAND, I
3 WASN'T LIKE THAT WHEN I WENT THERE, DID I NEVER
4 WOULD HAVE WENT.

5 MR. LAWSON: HAVE YOU FILED A CLAIM FOR
6 ANYTHING, MA'AM?

7 SPEAKER: YES, I HAVE.

8 MR. LAWSON: WHAT IS THE STATUS?

9 SPEAKER: I GOT A LETTER BACK SAYING,
10 WELL, IT IS NOT CANCER YET AND I WAS TURNED
11 DOWN.

12 MS. COOK: THE FEDERAL PROGRAM, IT
13 SOUNDS LIKE WHAT YOU ARE TALKING ABOUT IS
14 WAITING FOR THE SUBTITLE D PROGRAM TO GET IN
15 PLACE SO WE CAN HELP YOU WITH STATE WORKERS
16 COMP BECAUSE WHAT YOU ARE TALKING ABOUT --

17 SPEAKER: THAT'S WHAT I WANT TO KNOW. I
18 WAS NOT SICK BEFORE I WENT THERE.

19 MS. COOK: I UNDERSTAND.

20 SPEAKER: AND THIS IS WHAT I WANT TO
21 KNOW. AS LONG AS I DIDN'T GO IN THE MAIL ROOM
22 AT 1037, I DROVE THE TAXI, I DIDN'T HAVE THE
23 PROBLEM. BUT WHEN I WOULD GO IN THERE WHERE
24 ALL THAT WAS, I COULD NOT BREATHE AND MY THROAT
25 WOULD BE BURNING AND THEY WOULD CALL AN

1 I'M HERE ON BEHALF OF MY FATHER, HIS NAME WAS
2 LEON MEADE. AND LIKE A GOOD NUMBER OF OTHER
3 PEOPLE HERE, HE DIED IN JANUARY OF LUNG CANCER.
4 I HAVE BEEN ON BOTH ENDS OF THE WORKMAN'S
5 COMPENSATION AND OF THE DOL PROCEDURE. I'LL
6 SAY WE ARE LUCKY WE GOT COMPENSATION FOR
7 DADDY'S LUNG CANCER, BUT I LOST MY FATHER IN
8 THE MEANTIME, SO I DON'T CONSIDER THAT TO BE
9 LUCK AND I DON'T CONSIDER A HUNDRED AND FIFTY
10 THOUSAND DOLLARS COMPENSATION FOR HIS LIFE.
11 WHAT I'D REALLY LIKE TO ADDRESS IS THE
12 WORKMAN'S COMPENSATION ISSUE. HAVING BEEN ON
13 BOTH ENDS OF THAT, IT IS A HORRIBLE, HORRIBLE
14 THING. THEY DON'T PAY. THEY DON'T SMALL
15 CLAIMS. I WOULD CALL ABOUT DADDY'S MEDICINE
16 AND I WOULD SAY, YOU NEED TO PAY FOR THIS. AND
17 THEY WOULD GO, NO. AND I'D GO, WHY NOT. AND
18 THEY'D SAY, WHAT'S IT FOR. WELL, IF YOU ARE
19 GOING TO DENY IT, YOU SHOULD KNOW WHAT IT IS
20 FOR BEFORE YOU DENY IT. WHAT'S UP WITH THAT?
21 THEY JUST WON'T PAY. THEN WE FILED AGAIN FOR
22 DEATH BENEFITS BECAUSE MY FATHER DIED OF LUNG
23 FAILURE. AND I WAS TOLD THROUGH THE THIRD
24 PARTY WORKMAN'S COMPENSATION PEOPLE THAT THE
25 DEPARTMENT OF ENERGY DID NOT BELIEVE THAT MY

1 FATHER'S DEATH WAS CAUSED SPECIFICALLY BY HIS
2 WORK-RELATED ILLNESS. MY FATHER HAD ASBESTOS
3 THAT THE DOCTORS HAVE SAID IN WRITING TURNED TO
4 LUNG CANCER. I CAN'T IMAGINE WHAT ELSE WOULD
5 HAVE CAUSED MY FATHER TO LAY THERE FOR HOURS
6 THE DAY THAT HE DIED SUFFOCATING TO DEATH
7 EXCEPT HIS ASBESTOS AND HIS LUNG CANCER. WHY
8 WOULD THEY WANT TO FIGHT ME ON THIS? HE
9 ALREADY HAD WORKERS COMPENSATION, WE'D ALREADY
10 GOT DOL MONEY, BUT THEY DON'T WANT TO ADMIT
11 THAT HIS DEATH IS CAUSED FROM HIS WORK-RELATED
12 ILLNESS. TO ME, THAT IS A TRAVESTY, THAT IS
13 WRONG. IT'S JUST WRONG. AND THIS CAME
14 DIRECTLY FROM THE THIRD PARTY WORKMAN'S
15 COMPENSATION PEOPLE WHO ARE SAYING THE ATTORNEY
16 FOR DEPARTMENT OF ENERGY SAYS THEY DON'T
17 BELIEVE HIS DEATH WAS ATTRIBUTED TO HIS WORK
18 WHEN IT SPECIFICALLY SAID ON HIS DEATH
19 CERTIFICATE FIVE DIFFERENT CAUSES ALL WORK
20 RELATED. I APPRECIATE YOUR TIME.

21 MS. COOK: LET ME JUST TELL YOU REAL
22 QUICK HOW THIS IS GOING TO WORK AND THAT IS
23 THAT THE LEGISLATION IS VERY CLEAR THAT WE ARE
24 TO ASSIST AND TO ASSURE PAYMENT BY OUR
25 CONTRACTORS. OF COURSE, THE ONLY ONES THAT I

1 CAN REACH OUT AND TOUCH ARE THE ONES THAT I
2 ACTUALLY HAVE SOME KIND OF CONTRACTUAL AGENT
3 WITH. I'LL TELL YOU RIGHT NOW, NO MATTER WHAT
4 THEY SAID, IT WAS NOT A DOE LAWYER WHO SAID
5 THAT BECAUSE WORKERS COMP IS A CONTRACTOR, IT'S
6 NOT A DOE PERSON. BUT THERE IS A LOT OF
7 CONFUSION AROUND THAT TOO. BUT WHAT WE CAN DO
8 HERE IS GET THIS RULE IN PLACE AND GO BACK AND
9 REVISIT THOSE CASES AND I CAN PUT THAT KIND OF
10 PRESSURE ON TO MAKE SURE THAT WE GET OUR
11 CONTRACTORS PAYING UP FOR THAT. I'M
12 REIMBURSING THEM FOR PAYING, OKAY, SO IT IS NOT
13 AN ISSUE TO THEM ABOUT MONEY.

14 SPEAKER: I UNDERSTAND THAT AND I HAVE
15 BEEN INVOLVED IN THIS FROM THE ONSET. AND THE
16 PROBLEM THAT I SEE AS I LOOK OUT OVER THIS
17 GROUP OF PEOPLE IS THAT THERE ARE A LOT OF
18 PEOPLE HERE WHO NEED WORKMAN'S COMPENSATION WHO
19 DON'T MAYBE QUALIFY FOR THE DOL MONEY, BUT THEY
20 CERTAINLY NEED HELP. AND WITH THE BATTLES THAT
21 WE ARE FIGHTING, THEY ARE NOT GOING TO GET THAT
22 HELP AND THAT NEEDS TO BE ADDRESSED RATHER
23 QUICKLY. THANK YOU.

24 MS. COOK: THAT'S WHY WE OUGHT TO GET
25 MOVING QUICKLY ON THIS.

1 MR. LAWSON: QUICKLY, SIR.

2 SPEAKER: JIM BLANKENSHIP WITH THE
3 ATOMIC TRADES LABOR COUNCIL HERE IN OAK RIDGE.
4 FIRST JUST A COUPLE OF QUICK COMMENTS AND THEN
5 A QUICK QUESTION. THE ATOMIC TRADES AND LABOR
6 COUNCIL WOULD LIKE TO EXTEND ITS THANKS TO ALL
7 THE HARD WORK THAT HAS BEEN DONE AT THE ENERGY
8 EMPLOYEES COMPENSATION RESOURCE CENTER HERE IN
9 THE OAK RIDGE. THE STAFF HERE HAS TREATED EACH
10 AND EVERY ONE COMING THROUGH THEIR OFFICE WITH
11 KINDNESS AND UNDERSTANDING AND LIKE A MEMBER OF
12 THEIR OWN FAMILY. THE ATOMIC TRADES WOULD ALSO
13 LIKE TO THANK BOTH CONGRESSMEN WAMP AND DUNCAN
14 FOR THEIR SUPPORT AND EFFORTS WITH THE ATOMIC
15 TRADES COUNCIL AND THEIR ATTEMPT TO ACQUIRE A
16 CAT SCAN MACHINE FOR OUR MEMBERS AT ORNL AND
17 Y-12. AND THE LAST COMMENT WOULD BE THAT IT
18 APPEARS THAT THE DISTRICT OFFICE IN FORT
19 LAUDERDALE, FLORIDA DOES NOT APPEAR TO HAVE THE
20 SAME LEVEL OF CONCERN AND URGENCY THAT THE
21 ENERGY EMPLOYEES RESOURCE CENTER HERE IN OAK
22 RIDGE HAS OR ON THE DECEASED WORKERS' FAMILIES.
23 THE QUESTION I HAVE IS PRIOR TO COMING TO WORK
24 AT ORNL, WHICH I HAVE BEEN THERE TEN YEARS, I
25 WORKED SEVENTEEN YEARS WITH KNOXVILLE BUILDING

1 TRADES, I'VE WORKED ALL OVER THE COUNTRY, A
2 YEAR IN ROCKY FLATS, WORKED A YEAR AT SAVANNAH
3 RIVER AND ALL THREE OAK RIDGE PLANTS. IF
4 SOMETHING HAPPENS TO ME SOMEWHERE DOWN THE
5 PIKE, WHO DO I GO SEE?

6 MS. COOK: YOU ARE LIKE ME. WHO DO I GO
7 SEE? THAT IS STILL A PART THAT WE HAVE TO
8 SETTLE OUT AND EACH STATE IS DIFFERENT THAT WAY
9 TOO. SOMETIMES THEY SAY WHEREVER YOU LAST
10 RESIDED, SOMETIMES THEY SAY BETWEEN STATES AND
11 WE HAVE TO WORK OUT AGREEMENTS WITH EACH STATE
12 WHAT THEIR STATE WORKERS COMP AND HOW THAT'S
13 GOING TO BE DEALT WITH. BUT I'LL ASSURE YOU
14 THAT YOU ARE CERTAINLY NOT A MINORITY ANYMORE
15 THAN I AM. WE HAVE BEEN AT MULTIPLE SITES AND
16 WE'VE GOT TO FIGURE OUT, ESPECIALLY IF MULTIPLE
17 WORKER COMP PROGRAMS APPLY, HOW WE MIGHT DEAL
18 WITH THAT. SO THAT IS SOMETHING HIGH ON MY
19 LIST OF TRYING TO SORT THROUGH.

20 SPEAKER: AND ONE LAST COMMENT. THERE
21 IS A LOT OF PEOPLE HERE STILL WHO WISH TO
22 SPEAK. THANK YOU.

23 MS. COOK: I KNOW THAT. THANK YOU.

24 MR. LAWSON: THE LAST COMMENT OVER HERE
25 PLEASE.

1 SPEAKER: MY NAME IS TOMMY FULLER, I'M A
2 REPRESENTATIVE WITH THE SHEET METAL WORKERS
3 INTERNATIONAL ASSOCIATION. I HAVE MET WITH MS.
4 COOK BEFORE AND WE APPRECIATE CONGRESSMAN
5 WAMP'S OFFICE FACILITATING THIS MEETING. I DID
6 WANT TO STATE, THOUGH, IT IS VERY EVIDENT, JUST
7 AS THE FIRST GENTLEMAN THAT GOT UP AND SPOKE,
8 THERE ARE MANY SHORTCOMINGS WITHIN THE ACT
9 ITSELF. WHEN YOU LOOK AT ALL THE HEAVY METALS
10 AND THINGS THAT WE RUN INTO AT THESE FACILITIES
11 THAT ARE NOT COVERED, NUMEROUS BUILDINGS THAT
12 THESE DIFFERENT TYPES OF METALS, WHETHER IT BE
13 BERYLLIUM, LEAD, MERCURY, THAT WE HAVE WORKERS
14 THAT ARE GETTING EXPOSED TO, NOT ONLY IN THE
15 SHEET METAL CRAFT, BUT ALL THE BUILDING TRADES
16 AND MAINTENANCE CRAFTS OUT HERE AT THE PLANT.
17 IT IS CERTAINLY A TRAGEDY THAT THESE PEOPLE
18 DON'T HAVE SOME TYPE OF COMPENSATION THAT WERE
19 IN LEAD OR, FOR INSTANCE, EVEN WITH THE
20 BERYLLIUM LEGISLATION, MY UNDERSTANDING IS THAT
21 IT COVERS THE INDIVIDUALS THAT MIGHT HAVE BEEN
22 MACHINING THE BERYLLIUM AND THINGS OF THAT
23 NATURE. WHAT WE RUN INTO, FOR INSTANCE, FOR
24 EXAMPLE, IN THE SHEET METAL INDUSTRY, OUR
25 MEMBERS GO IN AND WHEN WE TEAR OUT THE EXHAUST

1 DUCT WORK AND UPGRADE THE EXHAUST SYSTEMS,
2 THESE HEAVY METALS ARE LAYING WITHIN THE DUCT
3 WORK AND OUR MEMBERS ARE EXPOSED TO NUMEROUS,
4 WHETHER IT BE CONTAMINATION, HEAVY METALS, WHAT
5 HAVE YOU, AND THEY ARE NOT COVERED AND THAT IS
6 VERY UNFORTUNATE. I'M PROUD TO BE A CRAFTS
7 PERSON AND I'VE WORKED OUT HERE MYSELF EIGHT
8 AND A HALF YEARS BEFORE TAKING THIS POSITION.
9 WE HAVE HAD PEOPLE THAT HAVE BEEN OUT HERE
10 SINCE THE FORTIES, WHETHER IT BE CONSTRUCTING
11 OR MAINTAINING THESE FACILITIES THAT WE
12 REPRESENT. ONE GENTLEMAN MENTIONED HE WAS
13 PROUD TO WORK OUT HERE AND DIDN'T HAVE ANY
14 COMPLAINTS AND WAS GLAD HE HAD A JOB FOR HIS
15 FAMILY. MOST OF OUR MEMBERS FEEL THAT WAY AND
16 THEY CERTAINLY ARE HONORED TO BE PART OF THE
17 COLD WAR EFFORT AND THE WAR EFFORT AND WHAT
18 THEY'VE DONE FOR THIS COUNTRY. I'M A TAXPAYER
19 ALSO. I REALIZE THIS IS GOING TO COST A LOT OF
20 MONEY, BUT PEOPLE THAT COME OUT HERE WERE A
21 PART OF WAR EFFORT AND THE COLD WAR EFFORT.
22 THEY HAVE BEEN LIED TO, THEY'VE BEEN MADE SICK,
23 THEY'VE SUFFERED, THEY CERTAINLY DO NOT DESERVE
24 TO NOT BE COMPENSATED AT LEAST FOR THEIR
25 MEDICAL EXPENSES FOR ALL THE RELATED DISEASES,

1 NOT JUST THOSE WITHIN THE ACT. AND I WOULD
2 LIKE THE CONGRESSMEN AND THE PEOPLE TO HEAR
3 THIS. THEY NEED TO REQUIRE THE ACT TO COVER
4 MORE EMPLOYEES THAT HAVE BECOME ILL DUE TO
5 WHETHER IT BE CHEMICAL OR HEAVY METAL EXPOSURE
6 OUT HERE AT THESE SITES AND TAKE CARE OF THEM
7 AND THEIR FAMILIES BECAUSE THEY CERTAINLY CAME
8 OUT HERE AND WORKED FOR THEIR COUNTRY, WE ARE
9 PROUD TO DO IT AND THEY SHOULD BE COMPENSATED
10 FOR DOING THAT. THANK YOU.

11 MR. LAWSON: MA'AM, I SAW YOU STANDING
12 OVER THERE. CAN YOU BE EXTREMELY QUICK, OR DO
13 YOU HAVE SOME WRITTEN COMMENTS YOU'D LIKE TO
14 SUBMIT?

15 SPEAKER: THEY ARE NOT WRITTEN, I JUST
16 HAVE A FEW THINGS THAT ARE DOWN.

17 MR. LAWSON: PLEASE GO AHEAD.

18 SPEAKER: MY NAME IS DIANE GRAY. I'M A
19 WIFE OF A SICK WORKER. (CRYING) EXCUSE ME. HE
20 HAS NOT WORKED IN SEVEN YEARS. HE LOVED HIS
21 JOB, HE LOVED WORKING FOR THEM AND BEING A COLD
22 WAR VETERAN. NOT ONLY IS HE A COLD WAR VETERAN
23 BUT HE IS A VETERAN, HE SERVED HIS COUNTRY IN
24 THE AIR FORCE. BUT I DO NOT APPRECIATE THEM
25 MAKING HIM SICK. EVERYTHING THAT HE HAS IS NOT

1 COVERED. WE ARE GOING TO HAVE TO FIGHT TO BE
2 ABLE TO GET ANYTHING IS TO GO THROUGH THE STATE
3 WORKMANS COMP, THAT IS A JOKE. THAT IS A JOKE.
4 WHY SHOULD IT BE STATE? WHY CAN IT NOT BE
5 FEDERAL?

6 MS. COOK: IF THAT'S A QUESTION, I'LL
7 JUST TELL YOU THE LEGISLATION SAYS DOE ASSISTS
8 YOU TO GET STATE WORKERS COMP. YOU CAN IMAGINE
9 HOW DIFFICULT THAT IS FOR ME TRYING TO LOOK OUT
10 FOR THE ENTIRE WORK FORCE WHERE IT VARIES STATE
11 TO STATE. IF WE, AS A COUNTRY, DECIDE WE WANT
12 A FEDERAL WORKERS COMP PROGRAM WE NEED TO MOVE
13 TOGETHER AND MAKE THAT HAPPEN.

14 SPEAKER: IT NEEDS TO HAPPEN AND THIS IS
15 WHERE WAMP AND DUNCAN NEED TO GET ON THE BALL
16 AND GET GOING. THEY HAVE PLAYED AROUND TOO
17 LONG. THERE ARE SO MANY WORKERS THAT ARE SICK
18 IN THIS AREA THAT ARE BARELY HANGING ON BY THE
19 SKIN OF THEIR TEETH. WHEN YOU ARE USED TO
20 HAVING MONEY COME IN AND NOW YOU ARE LIVING ON
21 SOCIAL SECURITY, THAT IS A JOKE. THEY DON'T
22 PAY YOU ANYTHING. AND THEN YOU ARE SUPPOSED TO
23 GET DISABILITY FROM THE PLANT. YOU DON'T GET
24 THAT BECAUSE YOU HAVE TO PAY EVERYTHING BACK.
25 THAT IS NOT FAIR. WHEN WE GET OUR STATE

1 IDAHO FALLS, I KNOW WHAT A COMPANY TOWN IS TOO.

2 SPEAKER: YES, IT IS A COMPANY TOWN AND
3 YOU CAN'T GET MEDICAL TREATMENT HERE. I JUST
4 TOOK MY HUSBAND TWO WEEKS AGO TO THE EMERGENCY
5 ROOM WITH HEART PROBLEMS. HE DIDN'T HAVE A
6 HEART ATTACK, HE DIDN'T HAVE ANYTHING BUT YET
7 HE SET THE MONITORS OFF AND THERE'S NOTHING
8 WRONG WITH HIM, BUT THEY SENT HIM HOME WITH
9 NITROGLYCERIN. DOES THAT MAKE ANY SENSE? NO.
10 BUT WE CANNOT CHOOSE A DOCTOR OR GO GET THE
11 HELP THAT WE NEED. THIS IS SO FRUSTRATING. MY
12 HUSBAND HAS THE TREMORS. THERE IS NO REASON HE
13 SHOULD HAVE THE TREMORS, BUT NOW IT IS BECAUSE
14 HE IS ON ALL THIS MEDICATION. HE HAS FAT ON
15 HIS LUNGS, THEY CALL IT, THEY SAID IT WAS
16 PLEURA PLAQUE, WELL, NOW IT IS FAT, HE IS
17 OVERWEIGHT. HE WAS NOT OVERWEIGHT WHEN THEY
18 FIRST SHOWED UP. I DON'T UNDERSTAND WHY THESE
19 POOR WORKERS ARE TREATED LIKE STEPCHILDREN.
20 YOU ALL NEED TO DO SOMETHING AND QUIT PLAYING
21 AROUND WITH PEOPLES' LIVES.

22 MR. LAWSON: THANK YOU, MA'AM.

23 SPEAKER: TO ADD ONE THING TO WHAT SHE
24 SAID. I'M A WIDOW AND HAVE BEEN FOR FOUR
25 YEARS. AND THIS IS WHAT ANGERS ME BECAUSE AS I

1 GET OLDER, I'M NEARLY SEVENTY, I'M OFFERED
2 SEVENTY-FIVE THOUSAND DOLLAR LIFETIME INSURANCE
3 THAT I PAY FOR, SEVENTY-FIVE THOUSAND. IF I
4 WENT IN THE HOSPITAL AND HAD TO HAVE A CARDIAC
5 CATH AND WHATEVER ELSE THAT MAY FOLLOW IT, HOW
6 LONG IS THAT SEVENTY-FIVE THOUSAND GOING TO
7 LAST ME. THAT IS WHAT WIDOWS HAVE.
8 SEVENTY-FIVE THOUSAND. WOULD YOU ACCEPT THAT
9 FOR YOUR WIFE IF YOU ARE MARRIED? OR YOU? NO,
10 YOU WOULD NOT. SEVENTY-FIVE THOUSAND. I HOPE
11 ALL OF YOU UNDERSTAND THAT, YOU WIDOWS, IF YOU
12 ARE WIDOWS SITTING IN HERE. LOOK AT YOUR
13 INSURANCE POLICY.

14 MR. LAWSON: THANK YOU ALL VERY MUCH.

15 SPEAKER: EXCUSE ME, SOMEONE WANTED TO
16 KNOW WHY, IF YOU ALL REALLY WANTED TO KNOW THE
17 TRUTH, WHY ARE WE STOPPING AT EIGHT O'CLOCK?

18 (APPLAUSE)

19 MR. LAWSON: I HAVE BEEN TOLD, MA'AM,
20 THAT THE IDEA WAS SO THAT EVERYBODY HERE WHO
21 HAS NOT HAD AN OPPORTUNITY WILL HAVE MORE OF AN
22 OPPORTUNITY TO TALK TO INDIVIDUALS. WE HAVE
23 HAD AN HOUR AND A HALF FOR INDIVIDUAL CASES,
24 BUT WHAT IF WE HAD MAYBE TWENTY-FIVE OR THIRTY
25 PEOPLE, THERE IS A CHANCE NOW FOR OTHER PEOPLE

1 TO TALK TO THESE RESOURCE PEOPLE.

2 SPEAKER: THE OAK RIDGE FACILITY SHOULD
3 BE GIVEN MORE TIME THAN SOME OF YOUR OTHER
4 SITES ACROSS THE NATION BEING THE FACT THAT YOU
5 HAVE THREE DOE FACILITIES WITHIN A TWELVE MILE
6 RADIUS. THEREFORE, WE HAVE THE LARGEST NUMBER
7 OF SICK WORKERS THAN ANY OTHER SITE IN THE
8 COUNTRY. ANOTHER FACT IS THAT DOE SPENDS SEVEN
9 BILLION DOLLARS A YEAR ON CLEANUP OF TOXIC DIRT
10 AND IT IS TIME THAT SOME MONEY BE SPENT ON THE
11 TOXIC WORKERS. THERE ARE MORE PEOPLE IN THIS
12 ROOM THAT WOULD LIKE TO SPEAK AND WE WOULD LIKE
13 YOU TO KNOW THAT WE ARE TAXPAYERS AND WE WOULD
14 LIKE SOME MORE TIME, IF POSSIBLE, PLEASE.

15 MS. COOK: I HOPE THAT NOBODY TAKES THIS
16 AS AN IMPLICATION THAT I DON'T EVER INTEND TO
17 COME BACK TO OAK RIDGE AGAIN. I'VE BEEN HERE
18 BEFORE, I INTEND TO BE BACK AGAIN IN THIS JOB.
19 WHAT I WANT TO DO IS GET THIS PROGRAM WORKING
20 AND UP AND GOING. WHY I HAVE TO GET BACK
21 TOMORROW MORNING IS EXACTLY FOR THAT. I THINK
22 THAT THAT IS THE ROLE THAT I NEED TO SERVE FOR
23 ALL OF YOU AND I'LL CERTAINLY BE BACK HERE
24 AGAIN. AS WE MOVE OUT AND WE IMPLEMENT,
25 ESPECIALLY THE SUBTITLE D PART, AND WE CAN ALL

1 WORK TOGETHER TO FIGURE OUT WHAT WE WANT TO
2 HAVE HAPPEN NEXT.

3 MR. LAWSON: BEFORE WE BREAK HERE, I
4 WANT TO MAKE A COUPLE OF ADDITIONAL POINTS
5 HERE. FIRST OF ALL, ONLY FOUR PEOPLE FROM THIS
6 SESSION HAVE SIGNED UP SO FAR FOR AN
7 APPOINTMENT AT THE RESOURCE CENTER SO IF ANY OF
8 YOU HAVE A CASE THAT YOU WOULD LIKE TO DEAL
9 WITH, THERE ARE PEOPLE HERE WHO CAN SET UP AN
10 APPOINTMENT TO HELP YOU IN PARTICULAR. NUMBER
11 TWO; THESE FOLKS ARE GOING TO STAY HERE SO IF
12 YOU HAVE A QUESTION YOU WOULD LIKE TO DIRECT TO
13 THEM, YOU CAN GO SPECIFICALLY TO THAT PERSON
14 AND WE ENCOURAGE YOU TO DO THAT. NUMBER THREE
15 IS THAT EARLIER WE DID NOT REALIZE THAT THE
16 SENIOR FIELD REPRESENTATIVE FROM SENATOR BILL
17 FRIST'S OFFICE IS HERE AND HAS BEEN HERE
18 TONIGHT. THAT IS CAROLYN CARTER JENSON, WE
19 WANTED TO MAKE THAT NOTE. AND ALSO BEFORE
20 PEOPLE LEAVE, I WANT YOU TO KNOW THAT EVERYBODY
21 APPRECIATES YOUR COMING AND SHARING YOUR STORY
22 BECAUSE WE KNOW IT IS NOT THAT EASY. ALSO WANT
23 TO THANK THE PANELISTS FOR BEING HERE. YOU CAN
24 SEE THE LINES ARE ALREADY FORMING HERE. IF
25 YOU'D LIKE TO SPEAK TO THEM, YOU ARE PERFECTLY

1 WELCOME TO DO THAT. WE ENCOURAGE THAT. THANK
2 YOU VERY MUCH FOR COMING. WE APPRECIATE IT.
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CERTIFICATE

I, JOAN S. ROBERTS, NOTARY PUBLIC AT LARGE
FOR THE STATE OF TENNESSEE AND COURT REPORTER
DO HEREBY ACKNOWLEDGE THAT THE FOREGOING ONE HUNDRED
NINE (109) PAGES ARE A TRUE AND CORRECT TRANSCRIPT OF
THE PUBLIC MEETING TAKEN BY ME IN THIS CAUSE ON THE
3RD DAY OF JUNE, 2002.

THIS THE 25TH DAY OF JUNE, 2002.

JOAN S. ROBERTS, COURT REPORTER

