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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

RESOURCES, COMMUNITY,
AND ECONOMIC DEVELOPMENT
DIVISION

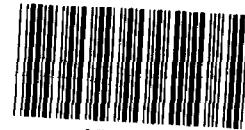
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B-208425

RELEASED

APRIL 21, 1983

The Honorable Alan Cranston
Ranking Minority Member
Committee on Veterans' Affairs
United States Senate



121203

Dear Senator Cranston:

Subject: Allegations of records falsification at
the Nevada Test site in the mid-1950s
(GAO/RCED-83-108)

At your request, we investigated the possibility that radiation exposure records were falsified for personnel who participated in the joint Department of Defense/Atomic Energy Commission¹ atmospheric nuclear weapons testing program at the Nevada Test Site in the mid-1950s. The issue was surfaced by Mr. Van R. Brandon who, in February 1982, alleged that duplicate radiation exposure records were maintained to cover up incidents of overexposure. Specifically, Mr. Brandon said that, while he was a member of a combined-service medical evaluation team responsible for recording radiation exposures from film badges worn by test personnel, two sets of records were maintained--one showing actual radiation exposure readings, including overexposure, and the other showing that test personnel received only minimum doses of radiation.

Any attempt to reconstruct events occurring more than 25 years ago is fraught with difficulties and uncertainties. In this particular case, military service records have been difficult to locate and have not always been complete. On the basis of available evidence, we could not substantiate Mr. Brandon's allegations. Specifically

--Mr. Brandon's military service record showed he was never at the Nevada Test Site;

¹The nuclear weapons testing activities at the Atomic Energy Commission have been assumed by the Department of Energy.

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- records maintained by the Department of Defense and the Atomic Energy Commission did not contain any evidence of Mr. Brandon's presence at the Nevada Test Site, the existence of a combined-service medical evaluation team, or the keeping of two sets of radiation exposure records;
- our contact with persons known to be involved in personnel exposure recordkeeping at the Nevada Test Site generated no support for the allegation that two sets of radiation exposure records were kept;
- Mr. Brandon had no documentation in support of his allegations and the two principal leads he furnished us resulted in dead ends; and
- our open letter to veterans of the atmospheric nuclear weapons testing program produced no corroborating witnesses.

On the other hand, we did speak with one individual who telephoned your office and who told us she met Mr. Brandon twice in Las Vegas, Nevada, during 1957. She said that her husband, who then worked at the Nevada Test Site, introduced Mr. Brandon to her as a friend who also worked there. According to this individual, however, each of the meetings lasted only a couple of minutes and she had nothing to document her claim that they had met.

OBJECTIVES, SCOPE, AND METHODOLOGY

At the outset of this assignment, we recognized that there existed no agreement between Mr. Brandon and the Defense Nuclear Agency (DNA)² on this matter. Our objective was, therefore, to examine the support for DNA's and Mr. Brandon's positions.

In attempting to obtain support for Mr. Brandon's allegation, we met and interviewed him on two occasions and tracked down leads furnished by him. We also requested that he provide us all available information that would support his allegations.

In evaluating DNA's support, we reviewed its investigation of the allegations to determine the basis for its decision that the allegations are not true. To meet this objective, we spoke with DNA officials and reviewed the documentation of their

²In 1978, the Department of Defense assigned the DNA responsibility for identifying participants and their radiation dosages for the atmospheric nuclear weapons testing program.

investigation. This documentation included Mr. Brandon's military service record and the most current listing of all military personnel who participated in weapons testing at the Nevada Test Site.

We also attempted to independently determine what actually occurred at the location during that time by reviewing pertinent documents in the possession of the Department of Defense, the Department of Energy, and their outside contractors. Also, we contacted individuals known to be involved in radiation exposure recordkeeping at the Nevada Test Site during the period in question. Finally, we solicited collaborating evidence from other veterans through an open letter in national veterans' magazines and newsletters of the American Legion, Veterans of Foreign Wars, Disabled American Veterans, American Veterans Committee, and American Forces Press Service.

We performed our work in accordance with generally accepted government auditing standards.

REVIEW OF DNA'S INVESTIGATION

After Mr. Brandon made his allegations, DNA spent 5 days investigating the matter and issued a report to the Congress on February 12, 1982, that refuted the allegations. According to DNA, military records showed Mr. Brandon was never at the Nevada Test Site; there was no evidence that a combined-service medical evaluation team ever existed or that two sets of radiation exposure records were kept.

DNA told us it used multiple sources in their investigation of the matter. These included the DOE Nevada Operation Office; the Federal Records Center in St. Louis, Missouri (the location of Mr. Brandon's service records); DNA Field Command at Kirtland Air Force Base, New Mexico; DNA contractors; the Department of the Army; and the intelligence community, including the Central Intelligence Agency and the Federal Bureau of Investigation. Because these sources failed to produce any information which supported Mr. Brandon's allegations, DNA said it abbreviated its investigation and decided to present its information to the Congress.

In examining the supporting documentation to the DNA report, we also found that Mr. Brandon's military service records provided no indication that he was ever assigned to the Nevada Test Site. According to his records, Mr. Brandon was stationed in Okinawa from August 1955 to April 1956; in transit between units during May 1956; at Fort Polk, Louisiana, from June 1956 to October 1956; and in Crailsheim, West Germany, from November

1956 to November 1959. However, these records may not represent a complete day-to-day accounting of Mr. Brandon's service career. A DNA official told us that some personnel assignments to the Nevada Test Site were considered field training exercises and as such may not have been reflected on the individual's service record by his home unit.

Mr. Brandon's name was also not on DNA's master list of military personnel who participated in the atmospheric nuclear weapons testing program. That list currently totals over 220,000 names and has grown by 70,000 since 1979. However, this list may not be complete. For example, we recently discovered one case in which a Marine Corps officer had apparently been at the Nevada Test Site but was not included on the master list. DNA has since corrected this oversight but we believe, if one such oversight occurred, others may be possible.

SEARCH OF DOE AND DOD DOCUMENTS
FAILED TO SUPPORT THE ALLEGATIONS

The Atomic Energy Commission--which subsequently became a part of the Department of Energy--operated the Nevada Test Site and conducted the atmospheric nuclear weapons testing there. The Department of Defense was involved in the Nevada Test Site because it wanted to simulate battlefield conditions using nuclear weapons and determine the effects. We reviewed the records and documents possessed by both agencies to determine whether they supported the allegations.

We found no reference to Mr. Brandon, a combined-service medical evaluation team, or the maintenance of two sets of radiation exposure records. Instead, we found that between 1955 and 1957 several different military units were assigned to the Nevada Test Site and were involved in radiation exposure recordkeeping. Additionally, we noted that, during 1955 and 1957, official exposure records did show several cases of overexposure of military personnel to radiation.

CONTACT WITH PERSONS KNOWN TO BE INVOLVED
IN RECORDKEEPING AT THE NEVADA TEST SITE
DOES NOT SUPPORT TWO SETS OF EXPOSURE RECORDS

DNA reported that a large number of individuals were involved in recordkeeping throughout the atmospheric nuclear weapons testing program, and none of these individuals alleged or inferred that two sets of exposure records were kept. DNA had not contacted any of these individuals because only Mr. Brandon had alleged that two sets of exposure records were

kept. However, DNA provided us a list of approximately 800 individuals who were involved in recordkeeping or some related activity. Of the 800 individuals, DNA had telephone numbers and addresses for only about 115.

We contacted 30 people at random on this list and asked them whether or not they knew (1) Mr. Brandon, (2) about the existence of a combined-service medical evaluation team, or (3) about the keeping of two sets of radiation exposure records at the Nevada Test Site. None of the individuals we contacted answered any of the three questions in the affirmative. Twenty-seven of the individuals said they were not directly involved in recordkeeping and, therefore, could offer us no first-hand information. However, for those three individuals who were, two told us that the allegations were unfounded because no falsification of exposure records occurred. The remaining one said he was in charge of the section that read the film badges and recorded the results for the personnel permanently stationed at the Nevada Test Site. According to this individual, the allegations could not be true because of the large number of people involved in the program.

PURSUIT OF MR. BRANDON'S LEADS
PROVED UNSUCCESSFUL

Both times we interviewed Mr. Brandon, we asked for all available information that would support the allegations. Mr. Brandon told us he had no documentation for support because a house fire, in 1963, destroyed his personal records. Mr. Brandon was able to provide us with two principal leads which he hoped would help support his allegations.

The first lead concerned the names of individuals who were also a part of the alleged combined-service medical evaluation team. According to Mr. Brandon, there were seven members in the team--two medical corpsmen each from the Army, Navy, and Air Force, and an Air Force captain who was in charge. Mr. Brandon could not remember the captain's name, but he did remember the names of three corpsmen on the team, one each from the Air Force, the Navy, and the Army.

We requested that each respective service prepare a complete listing of all medical corpsmen who had the name given to us by Mr. Brandon and who were on active duty during the 1950s. Each service furnished us with a list of names; however, none of these turned out to be the persons we were looking for:

- The Air Force found one individual with the name furnished us by Mr. Brandon who had been in the service during this time. However, this individual's military service record indicated that he was now deceased and was never assigned to the Nevada Test Site.
- The Navy found four individuals with the name furnished us by Mr. Brandon who had been in the service during this time and had participated in some part of the atmospheric nuclear weapons testing program. When we checked the information on these four individuals, however, we found that none were medical corpsmen and only one had been stationed at the Nevada Test Site. We contacted this individual, who had been a security guard, and found that he had no knowledge of Mr. Brandon, the medical evaluation team, or two sets of radiation exposure records being maintained.
- The Army found six individuals with the name furnished us by Mr. Brandon who had been in the service during this time and had also been at the Nevada Test Site. When we checked the military service records of these six individuals, however, we found that only four were enlisted men and only one of the four had a service specialty comparable to a medical corpsmen. We contacted this individual--who was a radiation monitor--and also found that he had no knowledge of Mr. Brandon, the medical evaluation team, or two sets of radiation exposure records being maintained.

The second lead concerned a pistol which Mr. Brandon says was confiscated from him in November 1955 when he was billeted at Nellis Air Force Base in Nevada. " Mr. Brandon thought that, if the Base still had some information on the confiscated pistol, it would indicate that he had been billeted there. We asked the Air Force if any record on the pistol existed. The Air Force told us that Nellis Air Force Base had no reports of weapons confiscation dating back to the 1950s because of an Air Force policy not to keep such reports for more than 5 years.

OPEN LETTER RESPONSE FAILED TO
PRODUCE ANY CORROBORATING WITNESSES

Though Mr. Brandon's allegations have appeared in newspaper stories all across the United States, and Mr. Brandon has appeared on several television and radio talk shows, no one has come forward to corroborate his allegations. Nevertheless, we arranged for an open letter to be published asking veterans of the nuclear weapons testing program to write to us if they had

any direct knowledge of the methods used to record radiation exposure records at the Nevada Test Site during the 1950s.

The open letter appeared in national magazines and newsletters of the American Legion, Veterans of Foreign Wars, Disabled American Veterans, American Veterans Committee, and American Forces Press Service and produced 76 responses. None of these responses corroborated any part of Mr. Brandon's allegations.

Separate from our open letter campaign, a veterans' organization--the National Association of Atomic Veterans--also queried its membership in an attempt to locate someone who could support Mr. Brandon's allegations. Their query produced six responses, none of which corroborated Mr. Brandon's allegations.

AGENCY COMMENTS

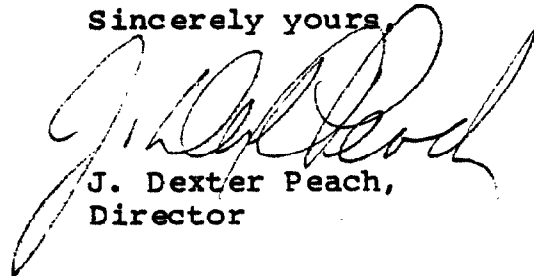
A draft of this report was presented to DNA for their review and comment. The DNA concurred in our findings and conclusion and suggested one minor change to more accurately reflect a statement made by a DNA official. We changed the report as suggested by DNA.

The DNA comments are included as an appendix in this report.

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As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 7 days from the date of the report. At that time, we will send copies to Mr. Brandon, DNA, interested congressional committees, and others upon request.

Sincerely yours,



J. Dexter Peach,
Director



RESEARCH AND
ENGINEERING

OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

23 MAR 1983

Mr. J. Dexter Peach
Director, Energy and Minerals
Division
U.S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Peach:

This is to acknowledge receipt of your draft report to Senator Alan Cranston, "Allegations of Records Falsification at the Nevada Test Site in the Mid-1950's," dated February 23, 1983 (GAO Code No. 301589 - OSD Case No. 6204).

The Department of Defense concurs in the findings and conclusion of the draft report as indicated in the enclosure to this letter. In one case, a minor change in wording has been proposed in order to more accurately reflect information provided by the Defense Nuclear Agency that was paraphrased in the report.

The Department of Defense appreciates the efforts of the General Accounting Office in their investigation and the courtesy extended in allowing the Department to examine and comment on the draft report.

Sincerely,

A handwritten signature in cursive script that reads "Jim Wade".

James P. Wade, Jr.
Principal Deputy Under Secretary of
Defense for Research & Engineering

Enclosure
as stated

GAO DRAFT REPORT - DATED FEBRUARY 23, 1983
(GAO CODE NO. 301589) - OSD CASE NO. 6204

- o FINDING A: Allegations of Records Falsification Could Not Be Substantiated. GAO found that they could not substantiate Mr. Brandon's allegations that, while he was a member of a combined-service medical evaluation team, radiation exposure records were falsified for personnel who participated in the joint Department of Defense/Atomic Energy Commission atmospheric nuclear weapons testing program at the Nevada Test Site in the mid-1950's. GAO further found that attempts to reconstruct events occurring more than 25 years ago are fraught with difficulties and uncertainties and that military records were difficult to locate and not always complete. (p. 1, GAO Draft Report)

The Department of Defense concurs in the finding.

- o FINDING B: Review of Defense Nuclear Agency's (DNA) Investigation Substantiates Conclusions But Raises Questions. After examining supporting documentation to the DNA report, GAO found that Mr. Brandon's military service records provided no indication that he was ever assigned to the Nevada Test Site. However, GAO further found that (1) these records may not represent a complete accounting of Mr. Brandon's service career--i.e., informed that some units stationed in the United States considered the assignment of their personnel to the Nevada Test Site as temporary duty which wasn't reflected in the individual's records, and (2) Mr. Brandon's name which wasn't on DNA's master list of military personnel who participated in atmospheric nuclear weapons testing, but an instance was noted where an officer was at the test site and not included on the master list (oversight). (p.3-4. GAO Draft Report)

The Department of Defense concurs in the finding. To more accurately describe the situation, it is recommended that the sentence which begins at line 3, page 4, be changed to read:

"A DNA official told us that some personnel assignments to the Nevada Test Site were considered field training exercises and as such may not have been reflected on the individual's service record by his home unit."

COMMENT: This more accurately describes the situation.

GAO Note: Page numbers in comments have been changed to reflect those in final report.

- o FINDING D. Allegation of Existence of Two Sets of Exposure Records Unsupported. GAO found that contact with 30 persons at random, from a list of persons involved in recordkeeping at the Nevada Test Site, generated no support for the allegation that two sets of radiation exposure records were kept. GAO further found that (1) 27 of the individuals contacted were not involved in exposure recordkeeping, (2) two stated allegations were unfounded because no falsification of exposure records occurred, and (3) one said the allegations could not have occurred due to the large number of people involved in the program. (GAO noted DNA provided a list of 800 individuals; however, only 115 had telephone numbers and addresses.) (p. 5, GAO Draft Report)

The Department of Defense concurs.

- o FINDING E. Mr. Brandon Unable to Provide Supporting Documentation. GAO found that Mr. Brandon was unable to provide any support for his allegations due to a house fire that destroyed his personal records. GAO further found that Mr. Brandon provided two leads to help support his allegations; however, investigation of both leads resulted in "dead ends." (GAO noted that (1) the first lead concerned the names of individuals alleged to be a part of the combined-service medical team; however, a search of the respective services complete listings of all medical corpsmen on active duty during 1950 who had the name given by Mr. Brandon, did not turn out to be the persons the GAO was looking for, and (2) the second lead concerned a pistol Mr. Brandon said was confiscated from him in November 1955 when he was billeted at Nellis Air Force Base, Nevada--the Air Force had no records dating back to the 1950's as policy requires keeping reports for not more than 5 years.) (pp. 5-6, GAO Draft Report)

The Department of Defense concurs.

- o FINDING F. Responses to Open Letter Fail To Support/Corroborate Mr. Brandon's Allegations. GAO found that none of the 76 responses to their open letter corroborated any part of the Mr. Brandon's allegations. (GAO noted that they published an open letter asking veterans of the nuclear weapons testing program to write if they had any direct knowledge of methods used to record radiation exposure records at the Nevada Test Site in the 1950's.) GAO also found that a veteran's organizational query of its membership produced 6 responses--none of which corroborated Mr. Brandon's allegations. (pp. 6-7, GAO Draft Report)

The Department of Defense concurs.

CONCLUSIONS

- o CONCLUSION 1. GAO concluded that they could not substantiate Mr. Brandon's allegations. (p. 1, GAO Draft Report)

The Department of Defense concurs.

- o CONCLUSION 2. GAO concluded that Mr. Brandon's military service record showed he was never at the Nevada Test Site. (p. 1, GAO Draft report)

The Department of Defense concurs.

- o CONCLUSION 3. GAO concluded that records maintained by the Department of Defense and the Atomic Energy Commission did not contain any evidence of Mr. Brandon's presence at the Nevada Test Site, the existence of a combined-service medical evaluation team, or the keeping of two sets of radiation exposure records. (p. 2, GAO Draft Report)

The Department of Defense concurs.

- o CONCLUSION 4. GAO concluded that their contact with persons known to be involved in personnel exposure recordkeeping at the Nevada Test Site generated no support for the allegation that two sets of radiation exposure records were kept. (p. 2, GAO Draft Report)

The Department of Defense concurs.

- o CONCLUSION 5. GAO concluded that Mr. Brandon had no documentation in support of his allegations and the two principal leads he furnished resulted in dead ends. (p. 2, GAO Draft Report)

The Department of Defense concurs.

- o CONCLUSION 6. GAO concluded that an open letter to veterans of the atmospheric nuclear weapons testing program produced no corroborating witnesses. (p. 2, GAO Draft Report)

The Department of Defense concurs.

RECOMMENDATIONS

- o None.

Enclosure to DoD Response
On Final Report OSD 6204