

**STATEMENT OF SENATOR KENNETH KEDI
ON BEHALF OF THE PEOPLE OF RONGELAP
BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON ASIA, THE PACIFIC AND THE GLOBAL ENVIRONMENT
U.S. HOUSE OF REPRESENTATIVES**

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Mr. Chairman, I am very grateful that you have provided me the opportunity to testify before you today on behalf of the people of Rongelap.

I. Background

On March 1, 1954, the United States exploded a hydrogen bomb, code named 'Bravo', on Bikini Atoll. At 15 megatons 'Bravo' was a thousand times more powerful than the bomb dropped on Hiroshima and after the explosion there was a marked increase in the level of background radiation measured around the globe.

The inhabitants of Bikini and Enewetak were evacuated from their island homes prior to the nuclear tests to avoid exposure to radioactive fallout. The people of Rongelap, 150 kilometers away, were not so fortunate.

Within four hours of the explosion, fallout from Bravo was settling on Rongelap. A fine white ash landed on the heads and bare arms of people standing in the open. It dissolved into water supplies and drifted into houses. The snow-like debris fell all day and into the evening, covering the ground up to 2 centimeters thick.

Although U.S. authorities knew of the fallout pattern and the strong winds that had been blowing towards Rongelap on the day of the test, they made no attempt to evacuate our people for more than 48 hours.

From 1954 until 1957, the U.S. Naval doctors continued annual exams on the Rongelap community, documenting radiation levels and related health effects. Other scientists monitored the presence of radiation in the soil, water, plant, and marine life back on Rongelap. In 1957, Atomic Energy Commission scientists, noting that the levels of radiation on Rongelap were higher than any other inhabited place on earth, observed that returning the exposed people of Rongelap to their still-contaminated islands "*afforded a unique opportunity to study the movement of radiation through the environment, food chain, and the human body.*"

The extreme levels of radiation that existed on Rongelap were never made know to our people, and in June of 1957, without any radiological cleanup and with false assurances that our island was safe, our community was sent home. The record is clear – U.S. scientists from Brookhaven National Laboratory (BNL) set forth to use the people of Rongelap as guinea pigs to study the effects of radioactive fallout on humans.

The research and testing experiment took place, and decades passed. People from Rongelap and neighboring Utrok Atoll suffered from previously unknown health problems—thyroid cancer,

stunted growth and retardation in children, high rates of miscarriage and congenital birth defects. With the outgrowth of these serious health problems it became clear to our people that our islands were still dangerously contaminated, a fact that became evident to scientists in the restudy of radiological conditions in the northern Marshall Islands in 1978.

The new findings were not, however, explained to the Rongelap people until 1982, when a representative from the U.S. Environmental Protection Agency informed residents that our islands were still highly radioactive. The Rongelap community asked to be evacuated; a request that the United States denied arguing that it was safe to stay so long as people avoided the northern islands in the Rongelap atoll and consumed imported canned food. In 1985, with the help of an international humanitarian group, the Rongelap people evacuated once again to Mejjatto Island on Kwajalein Atoll.

In 1988, three years after our second departure from Rongelap, we learned more about the contaminated condition of our islands and health consequences. German scientist, Bernd Franke, after examining the results of BNL urine tests that showed toxic plutonium levels in blood streams, stated: *"I was totally stunned to see Brookhaven's tests were exceeding the limits. But they never told the Rongelap people living on the island. They left everybody in the dark and they violated the precepts of good science."*

A short time later, U.S. funded radiological research confirmed that Rongelap still contained high levels of radioactivity. As a result, in 1990's the United States provided the Rongelap Atoll Local Government with a \$45 million resettlement trust fund to finance cleanup and rehabilitation work on Rongelap. I will speak to the status of resettlement later in my testimony.

Mr. Chairman, the heart-wrenching and searing testimonies of the Rongelapese who either experienced severe health complications first-hand or had loved ones who suffered and died due to the effects of radiation exposure are numerous. I believe it is important for the members of this Committee --for that matter, all Members of Congress -- to read some of these accounts so they can gain a real understanding of the personal and human-side of this great tragedy.

An excellent book was written by Barbara Rose Johnston and Holly Barker in 2008 titled: *The Rongelap Report – Consequential Damages of Nuclear War*, which comprehensively chronicles the physical, financial, psychological damages to our people and our cultural following the U.S. nuclear testing program. This great work also incorporates the poignant testimonies of several exposed members of our community. So rather than providing excerpts from a just a few individuals, I strongly encourage the Members of this Committee to read this book which is a vivid narrative on the impact of nuclear fallout on our people.

II. Rongelap's Nuclear Claims Tribunal Award

In April of 2007, the Nuclear Claims Tribunal, which Congress created and was established in 1988 to determine the past, present, and future claims of the Marshallese people related to the nuclear testing program, awarded Rongelap claimants \$1,031,231,200 in compensation for damages to our land and for health related issues. The tribunal determined that the people of Rongelap had been ill-served by the doctors, who were under contract for the U.S. government

from 1955 until 1998. In assessing damages, the tribunal accepted the testimony of Marshall Islands residents, as well as experts, that the doctors' primary responsibility to address medical concerns was secondary to the goal of studying the effects of nuclear radiation on the human body.

The tribunal found that the BNL doctors sent the Rongelap community home in June 1957 -- even though they knew it was highly contaminated, and they failed to share that knowledge with the people. Moreover, BNL doctors and scientists didn't adequately warn the Rongelap people about eating local foods polluted by atomic fallout. Instead, they used it as a chance to study the flow of radiation through the body. I ask that the Committee examine the entire Nuclear Claims Tribunal award for Rongelap, and I also ask for permission to submit that document into the Committee Record.

As we know, the Nuclear Claims Tribunal (NCT) was never adequately funded, and Rongelap has not received a penny of their \$1 billion award. The inadequacy of the NCT is one of the main issues of this hearing today, and we seek your assistance on a mutual resolution to this critical matter. We also support the introduction of a Congressional Reference resolution related to the NCT awards. The Congressional Reference resolution is an issue that other witnesses will discuss in more detail today.

III. Rongelap Resettlement Program

I mentioned the Rongelap Resettlement program earlier in my testimony, and I would like to provide an update on this very important matter.

The Rongelap Resettlement program is moving along with tremendous progress and the people of Rongelap are eager to resettle to their homeland. Since 2000, through the funds provided by the Rongelap Resettlement Trust Fund, the Rongelap Atoll Local Government has completed several significant infrastructure projects and homes have begun to be built.

While the progress has been considerable, existing radiological concerns and other practicalities need to be addressed before we can resettle back to Rongelap. There is no questioning our peoples' strong commitment toward resettlement, and while we aspire to the goal of being back on our atoll in the near future, it needs to be acknowledged that there is still widespread concern about radiation levels on Rongelap.

In addition, a U.S. entity has brought suit against our local government seeking to take control of Rongelap island which is currently being contested. As this lawsuit is presently in litigation, it would only be prudent to postpone further building construction until this case is resolved and the title of the land is secured.

Therefore, we ask that the Department of Interior to provide us the flexibility to work through these serious issues. We strongly believe that establishing an imminent deadline for the purpose of placing severe limitations on our use of the Resettlement Trust Fund before these issues are adequately resolved would be counterproductive to the successful resettlement of Rongelap.

A. Radiation Protection Standard

I would like to elaborate further on the radiological concerns as this is the most significant issue surrounding resettlement at this time. The safe radiation level standard which is currently applied to our resettlement process was one that was universally accepted at the time we set forth the resettlement agreement in the 1990's. Since that time however, a lower threshold had been adopted by the U.S Environmental Protection Agency (EPA). Prior to the late 1990s, when our agreement was enacted, a safe level of radiation was considered to be 100 millirems (mrem) above background levels of radiation. In 1997, EPA formally adopted a standard of 15 mrem above background for clean-ups under the Superfund. The 15 mrem standard is also being applied to Yucca Mountain, NV, the site of proposed high-level nuclear storage.

In our view, if the 15 mrem standard is what the United States applies when it conducts remediation on nuclear-related sites in its own country, then clearly this is the standard that should be adopted for radiological clean-ups in Rongelap, as well as other impacted areas of the Marshall Islands. Moreover, it should be noted that the Nuclear Claims Tribunal adopted the EPA's 15 mrem standard in determining clean-up costs for Rongelap and the other three atolls irradiated by the nuclear testing.

We understand that our request to comport with the 15 mrem standard may require a modification to our existing MOU related to resettlement. Consistent with our original agreement, the scientific studies and safety determination would be made by independent scientists and based off a diet that reflects a traditional lifestyle.

We feel strongly that our request to be held to the EPA radiation standard is not only reasonable and justified, but consistent with the moral obligation of the U.S. to properly recognize our history with its nuclear testing program.

B. Pantry Island Remediation

Another major concern of our people is that pantry, or food gathering, islands of Rongelap Atoll have not been cleaned. For reasons we understand, the nuclear remediation work has focused first on the main island, however, if an additional scope of radiation clean-up on the pantry islands is pursued, it would provide the safeguards and assurances that many of the people of Rongelap need in order for them to confidently return to their homeland. Moreover, we believe it is possible this can be done at a relatively modest cost with potassium fertilizer treatments. Therefore, we ask that targeted clean-up of a small number of pantry islands be undertaken before the actual resettlement process occurs.

C. The 100 mrem Standard: Has It Been Achieved?

While I have detailed our request to be held to the 15 mrem standard, according to reports from independent scientists who have conducted tests on Rongelap, there are some parts of the island that do not meet the existing 100 mrem standard. Scientist Bernd Franke, who served as a

member of the Scientific Management Team of the Rongelap Resettlement Project from 1992 to 1994 (and who conducted a follow-up report in 2006), has submitted information to the Committee which details the areas of Rongelap Atoll which appear to have not achieved the 100 mrem standard.

It is also important for the Committee to be aware that there are other voices, besides our own, that share existing radiological concerns on Rongelap. Just last week, Robert Alvarez, a Deputy Assistant Secretary for National Security and Environmental Policy in the Department of Energy from 1993 to 1999, stated in the Marshall Islands Journal that *“Until the U.S. government can assure that steps to mitigate does below 100 millirem are demonstrated by applying potassium fertilizer, effort to force the Rongelap people back to home is unjustified and unfairly places the burden of protection of the Rongelap people.”*

D. Successful Resettlement of Rongelap

We believe the remedies to address our concerns can be accomplished in a time frame that will allow us to begin resettlement in the not-too-distant future. In the meantime, we implore our partners at the Department of Interior to refrain from dictating a rigid and ill-timed deadline that would restrict our access to the resettlement trust fund. If the resettlement process continues forth without consideration of our concerns, it is doomed to fail. I know that is not what the U.S. wants, and more importantly, that is not what our people want. There can be no mistaking our commitment to resettlement -- we want to go back to Rongelap!

We share with the U.S. government the mutual goal of resettling to our homeland. We are grateful for the resettlement trust fund that the U.S. government established for the people of Rongelap, and we can be optimistic about the progress that has been made thus far. However, in order to achieve a successful resettlement, we are merely asking the Department of Interior and the U.S. Congress to be sensitive to our history of three evacuations in 39 years, our deep-seated fears of radiological contamination, and the permanent scars that we bear from the nuclear testing legacy.

IV. The DOE Marshall Islands Program and the USDA Food Program

Before I conclude my statement, I want to briefly discuss both the Department of Energy Marshall Islands Program and the USDA Food Program.

A. Department of Energy Program

The Department of Energy (DOE) Marshall Islands Program, which began in 1977, is funded by the U.S. at roughly \$6 million a year and has two components. The first is a medical program that provides annual screenings and medical treatment to the remaining members of the population of Rongelap and Utrok who were exposed to radiation resulting from the Bravo test. The second component encompasses environmental monitoring and assessments of the radiological conditions on Bikini, Enewetak, Rongelap, and Utrok.

We believe both aspects of this program need to be re-examined and reformed. There is a general lack of confidence in the manner and way in which this program operates within the Rongelap community. We hope that you are open to examining ways that would not only make this program more effective and efficient manner, but where the dollars are delivered in a way that best addresses the interests and needs of the atoll populations it serves.

We would be interested in discussing with you in more detail our experiences and views about this program at some point in the near future. However, one suggestion we would like to make is for Congress to request that a comprehensive General Accounting Office (GAO) investigation be conducted which fully examines all aspects of the DOE Marshall Islands program.

B. USDA Food Program

The USDA food program was initiated years ago to supplement the food needs of the people displaced from Bikini, Enewetak, Rongelap, and Utrok. It is a valuable program, but unfortunately it does not adequately account for the actual population of the four atolls. All four atolls have come together to petition USDA to re-examine our population levels so our food allotment appropriately meets the dietary needs of the people this program is intended to serve. However, any assistance you can provide in facilitating and supporting our request would be greatly appreciated.

V. Conclusion

Mr. Chairman, you have been a tireless advocate on behalf of the people of the Marshall Islands, and we are extremely grateful for your sincere attention to our issues. We hope that in a unified manner, we are bringing to you today approaches and solutions that not only address our current situation, but are remedies that can be achieved. There are few individuals in Washington who understand the details of our plight as you do, so we ask for your direct assistance on these very significant matters. Our people continue to hold out hope that we will be afforded an appropriate level of assistance and compensation given all that we now know about the impact of the U.S nuclear testing program in the Marshall Islands. We will of course do whatever we can to help you succeed on our behalf here in Washington.

Thank you again for holding this hearing and allowing me to testify today.