

Forum 2 Sunday, August 17, 1997

The Sacramento B

Lawsuits claim environmental hazards lurk at Area 51

Continued from Forum 1
secret that top officials won't say anything about it — they claim it has no name. They only speak of it in the most general terms. "There is an operating location near Groom Dry Lake." That's the Air Force's official position.

Stella Kasza and the rest of America know it as Area 51.

IN THE imagination of UFO enthusiasts, Area 51 is where the government harbors space aliens and conducts experiments on recovered interstellar craft. The real secrets of Area 51 are more mundane. And they involve things more dangerous to human beings than the squidlike aliens in "Independence Day," a movie that used Area 51's obsessive secrecy as a plot device.

What's being covered up there, according to lawsuits filed by Kasza's widow, another worker's widow and five former Area 51 employees, are brazen environmental crimes. For several years, the workers say, they labored in thick, choking clouds of poisonous smoke as hazardous wastes were burned in huge open trenches on the base. Military officers armed with M-16s stood guard as truckloads of resins, paints and solvents — materials used to make the Stealth bomber and other classified aircraft — were doused with jet fuel and set ablaze with road flares.

Another sheet-metal worker at Area 51, Robert Frost, died at age 57, allegedly from exposure to hazardous wastes. Biopsies showed that his tissues were filled with industrial toxins rarely seen in humans. Men who worked there from the late 1970s into the early 1990s say that inhaling the smoke resulted in persistent respiratory distress, cancers and strange rashes.

What is the government's response to these horror stories? The government says ... nothing. The policy is that nothing illegal occurred at Area 51 because, officially, nothing occurs at Area 51.

Employees there cannot talk about the work they do. Everything and everyone connected to the base is classified — part of the military's multibillion-dollar "black budget" operations. "Specific activities ... both past and present ... cannot be discussed," the Air Force says in a statement.

That position infuriates Stella Kasza because it makes her husband disposable, a nonentity. She sees it this way: If, officially, Wally Kasza didn't work at Area 51 for seven years, then, officially, his death had nothing to do with his job. He didn't wake up with bloody pajamas from the fish scales, didn't hark his lungs out in the middle of the night kneeling next to the bed. Didn't get cancer. Didn't suffer so horribly that his son wanted to smother him with a pillow to end it all.

"Someday I hope to visit Stella and not make her cry," says attorney Jonathan Turley, driving away from his client's triple-wide trailer in the Desert Inn Mobile Estates. It's a sun-blasted retirement community near a blue-collar casino whose billboard advertises "Cash your paycheck — win up to \$250,000!"

Turley is a law professor at George Washington University — he directs its nonprofit Environmental Law Advocacy Center, funded in part by Hollywood do-gooder Barbra Streisand. He flies here every few months to meet with the clients he is representing in a lawsuit against the government — Area 51 workers past and present and their families. He represented Wally Kasza before he died.

THE BRASH young lawyer would meet the sick old man in secret, in cars and garages, fearful of detection by military investigators. If Turley seems paranoid — he avoids using hotel phones, travels under phony names, swears he is being tailed — he has his reasons.

His campus office remains sealed by federal court order — students and others are not allowed to enter because the government says Turley's files hold documents that are classified. In a letter, a Justice Department attorney helpfully called Turley's attention to the specific statute that, as you know, prohibits unauthorized possession of national security information "and provides a mandatory 10 years in prison for violators. Turley is appealing the order that classified his office."

The Area 51 workers he represents also face 10 years in the slammer if they are caught disclosing anything about their jobs. In court papers, they are identified only as John Doe. Their affidavits express fear of "retaliation, harassment and injury" if their civilian employers or the military find out who they are.

"These are deeply patriotic guys," Turley says of his clients, many of whom have military backgrounds. "They are trained to go with the program and trust the line of command. It took a great deal for them to even talk to an attorney."

Turley represents more than 25 workers at no charge. He filed the case three years ago against the Environmental Protection Agency and the Department of Defense. The plaintiffs aren't asking for money; they want information on the chemicals they might have been exposed to so they can get appropriate medical treatment. They also want the military to admit that burning barrels of toxic wastes — allegedly twice a week for more than a decade — was wrong.

And they want an apology. "Let them admit the truth," one worker says.

They'll probably get none of the above. So far, the government's arguments for absolute secrecy have largely been upheld in U.S. District Court here. Unless they win on appeal, the Area 51 workers will face the same fate as the nuclear test site workers, uranium miners and the hapless citizens of Nevada and Utah who were exposed to radiation during the heyday of atomic bomb testing: Many got sick and died, and the courts held no one liable.

Turley had hoped that, when confronted with credible testimony about environmental crimes and evidence of the workers' illnesses, the Pentagon might cover their medical bills, or allow them to be treated for free by military doctors with the proper security clearance. He asked the Justice Department to give his clients immunity and launch a criminal investigation. Instead, the Justice Department, the EPA, the Air Force and the White House erected a stony wall of secrecy —

not denying the charges, but not confirming them either.

A few months after Turley sued, EPA officials conducted their first-ever inspection of Area 51. It was a victory, but a hollow one. Backed by Clinton, the Air Force refuses to disclose the results of the inspection — meaning the workers can't know what hazardous wastes might have been incinerated there.

In a statement issued to the Washington Post, the Air Force touts its "strong environmental record," but spokesmen refuse to address any questions about Area 51. "Most people understand that there is some information the government has to keep secret ... and military personnel who keep us all safe," the statement says.

THE LITIGATION puts the government in the Orwellian position of trying to keep secret a 40,000-acre complex where airplanes and buses full of workers arrive every day. (Hundreds of them commute from Las Vegas's main airport on jets that bear no external identification numbers. Not only have Russian satellites photographed the base — huge blimps are for sale locally — but it can be observed from a nearby mountain. Locals also call it Dreamland. Watson, the Ranch, or more generically, the Test Site — a name that dates from the '30s, when you could sip "atomic cocktails" in Vegas while watching mushroom clouds rise over the desert.)

"There is no name for the operating location near Groom Lake," an Air Force attorney named Richard Sarver insisted to federal Judge Philip Pro in 1995, during one of the few public proceedings in the Area 51 lawsuits.

The weathered metal sign at the border of Area 51 identifies it in large red letters as a "Restricted Area." It warns that anyone who trespasses comes under the jurisdiction of military law. You may be buzzed by a helicopter or an F-16. You may be shot.

"Use of Deadly Force Authorized," the sign says, citing, in smaller print, the "Internal Security Act of 1950."

In many ways this place is an anachronism, a vestige of the days when unquestioned military authority seemed necessary to keep the world free. At Area 51, a rigid Cold War mentality still prevails. America's enemies are everywhere. Workers tell of an intimidating security apparatus within the base, of wiretaps and gunpoint interrogations.

Established by the CIA in the mid-'30s, the base sprawls over a dry lake bed that once served as a landing strip for the U2 spy plane. The reasons for calling it Area 51 are obscure, but declassified manuals cite an equally mysterious Area 27 and Area 12 in the vast federal-only desert.

Solar-powered robotic video cameras observe anyone who approaches Area 51's perimeter; parabolic microphones pick up conversations. There are motion sensors beneath the dusty soil.

"They're watching you now," Turley says, hiking up a ridge about 13 miles from Area 51. He focuses his binoculars on the spindly robot, and scans the ridge for evidence of Jeep-driving security men, known locally as "Cammie Dudes." None is visible. "They're being shy today," he says.

The government's lawyers say that acknowledging the existence of innocuous and essential items would place the nation at grave risk. The "mosaic theory," the Air Force calls it.

If, say, the Iraqis or North Koreans were to learn about any materials or chemicals used at the Groom Lake base, the argument goes, they could puzzle out how we make secret weapons and radar-defeating planes.

Air Force Secretary Sheila Widnall raises the prospect of spies skulking behind saguaro cactuses, sniffing for smoke, combing the desert around Area 51 for clues. "Collection of information regarding the air, water and soil is a classic foreign intelligence practice,"



Washington Post photographs/Bill O'Leary
Turley gets a hug from Helen Frost, one of more than 25 clients he represents without charge. Her husband, an Area 51 foreman, died of liver disease.

she stated in a 1995 affidavit, "because analysis of these samples can result in the identification of military operations and capabilities."

The workers say that under the mosaic theory, nothing could leave the base, and that's why everything was burned, from old computers to entire tractor-trailers. Some men had to scramble into the pits after the ashes cooled to ensure complete incineration — increasing their exposure to toxins, according to the lawsuits.

Environmental crimes are particularly insidious because, as Turley points out, the victims often don't know they are victims. The burnings alleged by the workers are punishable by up to 15 years in prison. From their perspective, the evidence has been suppressed by the most powerful man in America.

Federal environmental law requires public disclosure of the results of the EPA's inspection of the Groom Lake base. To prevent this, Clinton invoked the military and state secrets privilege, specifically exempting the base from disclosing any pollution reports.

TURLEY SEES delicious hypocrisy in the Area 51 case. It allows him to target a president who's often touted his environmental record and who claims to have empathy for working-class citizens done wrong by government experiments. In October 1995, Clinton publicly apologized to victims of secret radiation tests in New Mexico.

"When the government does wrong, we have the moral responsibility to admit it," the president said. Americans have become cynical and lost faith in democracy, he said, "because of stone-walls and evasions of the past, times when a family member or a neighbor suffered an injustice and had nowhere to turn and couldn't even get the facts."

A few days before that speech, Clinton signed the first order exempting Area 51 from disclosing its pollution records.

About 10 years ago, Robert Frost, who was foreman of the sheet-metal workers at Area 51, became so ill that he missed a week of work. By then his face and body were scarred by scales and red welts. He would drape himself in a blanket to shield his skin from the sun. His legs buckled when he tried to walk.

Frost filed a claim for lost wages; his employer, Reynolds Electrical & Engineering Co., fought it. By the time a hearing was held in 1990, Frost was dead of a liver disease that doctors as-

sociated with exposure to smoke containing dioxin and dibenzofurans, chemicals found in plastics and solvents. But the compensation claim was denied after a company superintendent testified that no burning ever occurred at Area 51.

Frost's widow, Helen, got a belt buckle in the mail — "in appreciation of Robert's 10 years of continuous service with REECO," the accompanying letter said. "We deeply regret that the award cannot be presented to him."

Furious, she wanted to file a wrongful death claim, but the lawyers in Las Vegas told her there was nothing to be done — the military and its contractors were too powerful.

Eventually Helen Frost found a Washington watchdog group, the Project on Government Oversight, that was willing to investigate. She knew of several other widows and workers. One of them was her husband's good friend Wally Kasza — a guy so tough he worked up at Area 51 until he was 69, when he became too sick to go on.

Wally and "Frostie," as friends knew him, were union brothers in Local '88. Now their widows are united in their scorn for the federal government, lending their names to the lawsuits Frost v. Perry (against the former secretary of defense) and Kasza v. Browner (against the EPA administrator).

They are a lot alike, Stella and Helen. They grew up in ethnic Rust Belt towns, met and married their men as teenagers — they never thought they'd lose them. Their men had fought wars, come home to tell about it. How could the government they fought for betray them, put them in mortal danger without fair warning? How could everyone right up to the president deny it?

Keeping secrets is one thing, the black-budget widows say. But people still ought to count for something. The truth ought to count.

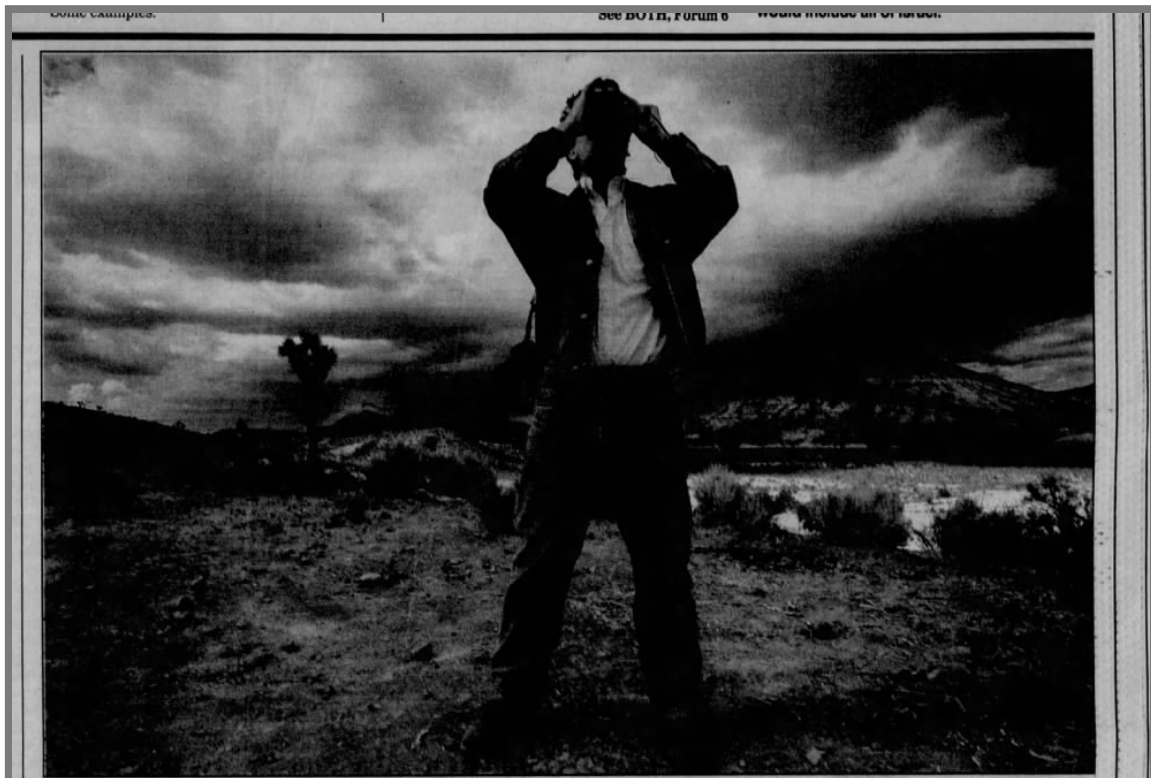
Stella Kasza points to the wall. An Olan Mills studio portrait taken several years ago captures her loving gaze as she poses next to a still-handsome old devil with wavy gray hair, the guy whose big grin and blue eyes first made her swoon when she was 15, when he lived down the block.

A sappy country song is playing on the radio. Stella turns it up, up — as loud as she can stand it. Something about having one last night together on the town. She sways across the room, alone, trying not to cry again.

Washington Post



Stella Kasza holds President Clinton responsible for the agonizing death of her husband, Wally, a sheet-metal worker at Area 51.



Washington Post photograph/Bill O'Leary

Law professor Jonathan Turley looks through binoculars toward Area 51 from 13 miles away, as close as allowed without security clearance.

By Richard Leiby

LAS VEGAS - In the dim light of her tidy trailer, the widow dabs at her eyes and presents proof that the man she loved for more than four decades - "my Wally" - existed. Proof that he was born, worked, sacrificed, lived and died. An ordinary man, but one like no other. His name was Walter S. Kasza, and Stella Kasza wants you to know that, damn it, he existed. He was her man.

She displays his Army papers: He landed in Europe in '44, fought in the Ardennes, earned three bronze stars. On the paneled wall hangs their wedding portrait - St. Norbert's Church in Detroit, 1950 - and pictures of their children.

From the pantry she retrieves a brown paper bag full of empty pill vials. For years the doctors couldn't figure out why Wally was coughing so much, why his skin cracked and bled, turning their bedsheets red. They prescribed unguents, antibiotics, decongestants, pain killers. His guts ached for years, too, and when they finally found the kidney cancer, even morphine didn't help the pain. He died in April 1995, a wraith, 73 years old.

"Memories," she says bitterly, tossing the vials into the bag. "Nobody gives a damn. Nobody."

Secret of Area 51

Government doesn't want public to know what's in the Nevada desert

Stella Kasza, silver-haired, strong-willed - "I've got a temper, a Polish temper," she warns - blames all the high and mighty officials back in Washington for what happened to her Wally, and one big shot in particular. "If Clinton was here right now I'd look at him and say, 'You know what you did to my man? You took my life

Richard Leiby is a reporter for the Washington Post.

away. You - " She spits out several curses.

Bill Clinton certainly did not kill Wally Kasza, but he has been forced to deal with his angry widow. The administration maintains an abiding interest in the lawsuit Stella Kasza has brought against the federal government. Under a "presidential determination" that he must renew annually, Clinton has decreed that potential evidence related to Kasza's death is classified, top-secret, a matter of national security - and that "it is in the paramount interest of the United States" that none of it be disclosed.

WHY SHOULD Wally Kasza matter? He was a sheet-metal worker. For seven years he put up buildings and installed cooling systems for a defense contractor at an Air Force base in the middle of the Nevada desert.

But that base, about 100 miles due north of here, is the most mysterious in America. It is so

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