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SECURITY CLASSIFICATION

UNCLASSIFIED

TYPE MSG	BOOK	MULTI	SINGLE
		X	

PRECEDENCE

ACTION	ROUTINE
INFO	ROUTINE

DTG

FROM: M. E. GATES, MGR., NV/ PASO, HONOLULU, HAWAII

TO: NV-HQ, ATTN: THOMAS FLEMING, CHIEF COUNSEL, LAS VEGAS, NEV.

INFO: USAEC, WASHINGTON, D. C.
MARTIN HOFFMAN, GENERAL COUNSEL;
JOHN PENDER, ASST. GEN. COUNSEL;

MAJ. GEN. FRANK CANN, AGMMA

SPECIAL INSTRUCTIONS

REPOSITORY DOE/PASO

COLLECTION DOE/NV

BOX NO. 1234

FOLDER ENEWETAK Anthropological Survey 6/78-11/76

UNCLAS / QUOTED BELOW IS LETTER DATED OCT 24, 1972 RECEIVED THIS DATE IN PASO, ORIGINAL ADDRESSED TO MR. ROGER RAY, AMO, NV, FROM THE LAW OFFICES OF THE MICRONESIAN LEGAL SERVICES CORPORATION. COPIES OF THE LETTER HAVE BEEN ADDRESSED TO THOMAS FLEMING, CARROLL H. DUNN, PETER ~~X~~ T. COLEMAN, JON T. MIHO AND GRANT C. REYNOLDS:

QUOTE -

RE: PEOPLE OF ENEWETAK, ET. AL. V. MELVIN R. LAIRD, ET AL. U. S. D. C., HAWAII, CIVIL NO. 72-3649.

DEAR MR. RAY:

YOUR LETTER OF COTOBER 13 ENCLOSING A NEWS RELEASE

DATE	TIME
27	
MONTH	YEAR
OCT	1972
PAGE NO.	NO. OF PAGES
1	3

D R A F T E R	TYPED NAME AND TITLE	PHONE <u>X-111</u> <u>845-7611</u>	R E L E A S E R	SIGNATURE <i>W. K. Steiner</i>
				TYPED (or stamped) NAME AND TITLE <u>M. E. Gates, MGR. NV</u>

SECURITY CLASSIFICATION	REGRADING INSTRUCTIONS
UNCLASSIFIED	EPB-757

UNCLASSIFIED

ROUTINE
ROUTINE

M. E. GATES

M. E. GATES

ANNOUNCING A "SURVEY" OF ENEWETAK ATOLL HAS BEEN RECEIVED.

WILL YOU PLEASE TELL ME PRECISELY WHO IS PRIMARILY RESPONSIBLE FOR THIS "SURVEY" AND EXACTLY WHAT IT ENTAILS? TERMS LIKE "ENGINEERING PLAN" AND "RADIOLOGICAL POINT OF VIEW" ARE UTTERLY MEANINGLESS TO US. PLEASE BE SEPCIFIC AND DETAILED IN YOUR RESPONSE. WE MADE IT PERFECTLY CLEAR TO ATTORNEYS MIHO AND REYNOLDS IN THE PRESENCE OF JUDGE KING ON OCTOBER 4 IN HONOLULU THAT THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA) APPLIES TO ANY AND ALL ASPECTS OF THE ENEWETAK REHABILITATION PROGRAM AND THAT BEFORE MAKING ANY DECISION TO PLAN OR EFFECTUATE IT, AN ENVIRONMENTAL ASSESSMENT IS REQUIRED, INCLUDING FULL AND MEANINGFUL INVOLVEMENT OF THE ENEWETAKESE. MOREOVER, THE TRUST TERRITORY GOVERNMENT, THROUGH MR. PETER COLEMAN, HAS REPEATEDLY EXPRESSED THE PROMISE THAT THE PEOPLE OF ENEWETAK WILL DECIDE HOW AND WHEN AND IN WHAT WAY THE ATOLL WILL BE RESTORED.

UNCLASSIFIED

ROUTINE
ROUTINE

W. K. STREENAN

M. E. GATES

UNLESS I HEAR FROM YOU IMMEDIATELY, I HAVE INSTRUCTIONS TO PREPARE AND FILE A LAWSUIT TO ENJOIN THE ATOMIC ENERGY COMMISSION AND EVERY OTHER AGENCY INVOLVED FROM PROCEEDING WITH ANY ACTIVITIES IN CONNECTION WITH THE REHABILITATION OF THE ATOLL.

SINCERELY,

THEODORE R. MITCHELL, EDWARD C.
KING AND DENNIS F. OLSEN

BY _____
THEODORE R. MITCHELL

END QUOTE

REQUEST ANY GUIDANCE YOU DEEM APPROPRIATE NLT 1200
HOURS SATURDAY 28 OCTOBER HAWAIIAN TIME.
END MSG. EPB-757