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Assistant General Counsel
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COMMENTS ON DRAFT BILL "TO PROVIDE FOR THE RELIEF OF CERTAIN RESIDENTS
OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS"

We agree with the intent of the bill and have previously provided comments to the staff of the House Committee on Interior and Insular Affairs on August 7, 1974, copy enclosed. We do, however, have some specific comments in regard to the present bill.

We suggest that the basis for compensation or relief be for injuries or inconvenience related to radiation exposure but not for the exposure itself. In this connection we recommend that the first paragraph of the bill be modified as follows:

"...to compensate persons present on Rongelap Atoll, Ailingnae Atoll, and Utirik Atoll, Marshall Islands, on February 28, 1954 (Universal Time), subjected to injury or inconvenience as a result of a thermonuclear detonation...."

Section 2 indicates that the eligible individuals would be "...to persons resident on Rongelap Atoll and Utirik Atoll, Marshall Islands on March 1, 1954...." We are certain that there is no intent to exclude Rongelap residents who were at Ailingnae, although it would appear that a strict interpretation might conceivably exclude them. Perhaps this should be changed to read "...persons present at Rongelap Atoll, Ailingnae Atoll and Utirik Atoll, Marshall Islands, on March 1, 1954...." or remedied in some other manner.

Section 2 appears to be the first section and it is not clear why it is numbered 2.

Paragraph B of Section 2 does not seem to be needed. Paragraph A includes any individual who develops a radiation-related malignancy,

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which we assume is what was intended as the basis for paragraph B. As written, paragraph B would be very difficult to administer since it implies that there are causes of death, other than malignancy, that may be "radiation-related" but gives no guidance as to how they might be identified.

Original signed by
James L. Liverman

James L. Liverman
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Enclosure:
As Stated

bcc: J. L. Liverman

MC #9233

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