

PRELIMINARY DRAFT - ERDA PROPOSAL

I. ACCESS

403378

A. ERDA wouldn't object to Court enjoining any further taking up of permanent residence, or permitting such resumption subject to conditions.

1. DOI and DOD (which flies airplanes) would be parties who would have to implement such an injunction.

B. While we wouldn't object, we believe an injunction which would simply enjoin resettlement would be undesirable, because of the people's own expressed desire to return, ^{because} and of the cultural and other benefits which we expect them to derive from a return.

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C. As for an injunction that would permit resettlement, but would require persons to be fully apprised of conditions on the island, we don't believe such an order is necessary, because we fully expect that Trust Territory Admin. intends to so apprise persons in any event.

1. ERDA stands ready to provide support and assistance in this task. Specifically, stands ready to attend any meeting when requested by District Administrator to explain conditions speak to anyone by telephone, or present written statement in English or Marshallese.

a. Will draft primer on: *Sum of one Report of Secretary*

- (1) What is radiation?
- (2) How does it get to man's environment?
- (3) What are radiation standards?
- (4) How does it affect man?
- (5) What measures of protection are available?

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and ready to
state content
primer.

- (6) Radiation situation on Bikini.
- (7) What precautions should be taken on Bikini?
- b. First draft of primer will be available in English within _____; In Marshallese within _____ weeks thereafter. (Have available Enewetak booklet.) See III.B. below.
- 2. (Would you be prepared to translate BEIR Report? If not, why not?) *mt*
- 3. Would Not agree to bear expense "of all future needs... (health care, shelter, nutrition, further relocation)" of anyone who resettles on Bikini (PI, p.3) (in essence, asks for complete welfare program. Wrong agency, probably Congressional demand.) *Spent budget of our family.*

II. CONTINGENCY PLANNING FOR RELOCATION

A. No ERDA role.

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III. INFORMATION IN MARSHALLESE AS WELL AS ENGLISH

- A. Would have no objection - indeed, we have in the past and will continue in the future -to making all our conclusions available to Bikini people.
- B. However, don't have the capability to translate all this technical information meaningfully into Marshallese.
 - 1. Stand ready to work with Trust Territory Government to assist in any translation it deems appropriate.
 - 2. Might even agree to pick up some incidental costs if it's necessary to get someone with special linguistic skills to translate certain previously specified literature.

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C. Translations could include plans of past surveys, reports containing survey results, assessment reports, reports containing conclusions and recommendations, Master Plan (DOI document, thus DOI decision), primer discussed above, bioassay results from Conard's program. Could also include similar documents generated in the future.

IV. MEDICAL EXAMINATIONS

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A. Need to emphasize that ERDA has no responsibility or authority to provide medical assistance to private persons, except where specifically authorized. (Cf. Medical Program on Rongelap, which was specifically funded.) DOI is the Trust Territory Government, and must determine what is necessary and feasible.

1. ERDA does have program to conduct environmental surveillance of Bikini, including conduct of bioassays of individuals in Bikini. This program is headed by Dr. Conard, Brookhaven Laboratory, and utilizes ERDA's research vessel, Liktañur, which does have certain medical resources (trailer containing examining room, x-ray machine, dentist's chair, and limited laboratory capability; a separate and different trailer, which can do whole-body radiation counts, could be put aboard; trailers cannot be off-loaded at Bikini, because there's no port facility or crane; even if trailer DOE ARCHIVES were taken off, there's no power at Bikini, and equipment need power.)

*The Liktañur would be available.
 Should the next tent be available.
 HZ*

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2. If requested by Trust Territory, as part of Trust Territory's program, ERDA is ready to:
 - a. Take and analyze individual medical histories (would also require interpreter).
 - b. Conduct routine physical examinations ("annual physical" type). **BEST AVAILABLE COPY**
 - c. Conduct blood counts on-site, and obtain blood specimens to be transported to fixed-base laboratories specified by Trust Territory for more complete study and analysis.
 - d. Do simple urinalysis on-site, and obtain specimens for radio-analysis on mainland; could conduct radio-analysis at ERDA labs.
 - e. Do in-vivo measurements (whole-body counts) but can't do in-vivo measurements of Pu₂₃₉ in chest.
 - f. Do x-ray chest plates (can't do other roentgenograms specified in complaint P.102).
 - g. Obtain sputum specimens for pulmonary cytology, and transport specimens to DOI-designated lab. (no special ERDA capability).
 - h. Draw blood specimens for chromosome analysis, incubate them, prepare cultures in the field, and deliver to DOI-specified lab for analysis.
3. Estimated cost - \$60,000 (could lower to \$50,000 if DOD provided air transportation)
4. Stand ready to do above with existing resources and capabilities. Can't agree to fund others to do it, nor to hire new doctors nor other resources.

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5. Also, can't agree to do above for people who have been on Bikini and left, as requested in PI motion, p. 5, bott.

B. Because of other commitments, could not start above actions before January. Effort would take about two months. (At least three 2-week trips of the vessel.)

V. PROHIBITION OF COMMUNICATION

A. ERDA stands ready to conduct all its communications with people of Bikini under auspices of, and after coordination with, DOI.

B. ERDA will provide copies of any written statements to Plaintiffs' counsel, and will notify counsel of any contemplated meetings with Bikini people.

C. Some of plaintiffs' criticism of Bikini program can only be corrected by more, not less, communication with Bikini people.

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VI. RADIOLOGICAL SURVEY

A. Commitments re aerial survey depend on DOD. ERDA could initiate air survey within 30 days.

B. Air survey would be only of Bikini, not other Northern Atolls (PI Motion, p. 11). No survey of Northern Atolls is necessary to draw conclusions re Bikini.

C. Survey could be completed within two weeks, and results reported within 30 days thereafter (data must be brought back to Nevada, computerized, plotted on graphs, and then published.)

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- D. N.B.: Boat used in survey is same as in medical exams, so only one thing can go on at a time.
- E. Will also do any ground work which the air survey reveals necessary (don't know how long this might take until air survey is done).
- F. Estimated ERDA cost - \$500,000.
Estimated total cost - \$

VII. INDEPENDENT ANALYSIS

- A. See specific request in PI Motion, p. 12, and in Complaint, p. 38 (item G).
- B. ERDA is prepared to request that NAS appoint Committee to "analyze and evaluate the data produced" by the aerial survey.

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1. In practice, and in view of plaintiffs' next request (PI Motion, p. 12; Complaint, p. 38, item H), we would go to NAS now, and work with Committee on plan for aerial survey, to avoid later duplication.
 2. This means that all times and schedules mentioned above would depend on time necessary to enter into agreement with NAS, convene NAS group, and await NAS conclusions.
 3. Must be made clear that recommendations of NAS group regarding survey scope and procedures will be advisory in nature, not binding. ERDA will make final decisions regarding the survey after taking into account group's recommendations. DOE ARCHIVES
- C. Estimated cost - \$70,000. (assumes group takes two trips cross-country, and one trip to Marshalls). (175 man days)

- D. Acceptable Alternative: ERDA nominates list of experts; Court appoints group from that list; court could consult with plaintiffs.
- E. Third Alternative (acceptable?): ERDA appoints _____ experts; plaintiffs appoint _____ experts.

VIII. RADIOLOGICAL ANALYSES OF FLORA AND FAUNA

- A. Tied to VII above. No separate commitments.

IX. CONTROL OF AGENCY SPENDING AND CONTRACTS

- A. Can't agree, and don't think plaintiffs' proposal is workable in any event. Propose that Government statement, or stipulation of parties, be submitted which specifies the commitments discussed above.
- B. While we don't think anything more is necessary, we would be prepared to provide periodic status reports to the Court on continuing developments.
- C. Decision re EIS should be Interior decision. Should action on EIS be initiated, ERDA will assist DOI with this effort as requested.

X. FURTHER MONITORING

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- A. Can't agree to anything beyond what's stated in IX above.

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