

P R I O R I T Y

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TKX 1467C 242246C

FM USAEC ALBUQUERQUE NMEX

1960 JUN 24 PM 10 40

TO USAEC WASHDC

AEC GRNC

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U.S. ATOMIC ENERGY COMM. T W X UNIT

BT

C O N F I D E N T I A L FOR STARBIRD ATTN JOSEPHSON FROM REEVES

PD THERE FOLLOW COMMENTS ON TRANSFER AGREEMENT CONTAINED IN YOUR
TKX NO C-149 DTD JUNE 23 PD 1960 PD WITH REFERENCE TO PARA 1B
CMM IT IS NOTED THAT A COMMITMENT IS MADE FOR THE ARMY WITH REGARD
TO RETURN OF ARMY TUGS PD SUCH BEING THE CASE CMM IT IS SUGGESTED
THAT THE SIGNATORY SHOULD BE IN FACT AN INDIVIDUAL AUTH TO SIGN
FOR THE ENTIRE DOD OR IN THE EVENT THIS IS NOT DONE CMM A CONCURRENCE
SIGNATURE OF A DEPT OF THE ARMY REP SHOULD BE OBTAINED PD IN VIEW
OF THE LANGUAGE CONTAINED IN THE 1 JULY 1955 AGREEMENT CMM IT IS
BELIEVED SIGNATORIES TO THE TRANSFER AGREEMENT SHOULD HAVE EQUAL
AUTHORITY TO THOSE OF THE 1955 AGREEMENT PD PARA PD IN PARAGRAPH
1C IT IS BELIEVED THE EXISTING AGREEMENT REFERENCED IN THE LAST
SENTENCE SHOULD BE FURTHER IDENTIFIED CLN "AS CONTAINED IN 1 JULY
1955 AGREEMENT BETWEEN AEC AND DOD ON COSTS AND RESPONSIBILITIES
FOR OPERATIONS AT PACIFIC PROVING GROUNDS" PARA PD IT IS RECOMMENDED
THAT THE FIRST SENTENCE OF PARA 4 BE DELETED IN ITS ENTIRETY PD
WE HAVE NO WAY OF KNOWING ALL DOD RESPONSIBILITIES OR LIABILITIES
INCURRED IN THE PACIFIC OCEAN AREA WHICH MAY HAVE BEEN INCURRED
IN SOME POSSIBLY REMOTE CONNECTION WITH AEC OPERATIONS THERE PD
IN ANY EVENT CMM THE OVERSEAS OPERATIONS IN CONJUNCTION
END OF PAGE ONE

CONFIRMED TO BE UNCLASSIFIED
AUTHORITY: DOE/SA-20
BY R.S. DEWEY, DATE: 6/8/94

CLASSIFICATION CANCELLED
BY AUTHORITY OF DDC
BY [Signature] DATE 1/23/87

MILITARY RESEARCH & APPL 7.894

PARAPHRASE NOT REQUIRED

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PAGE TWO 1467C

WITH FULL SCALE TESTS WERE A JOINT VENTURE ON THE PART OF AEC AND DOD PD THE SENTENCE IS BELIEVED UNNECESSARY BECAUSE ANY CLAIM ARISING y OUT OF OPERATIONS PRIOR TO 1 JULY 1960 WOULD REMAIN AN AEC OR DOD RESPONSIBILITY DEPENDING ON WHO HAD RESPONSIBILITY BEFORE 1 JULY 1960 AND COULD NOT POSSIBLY BE AFFECTED BY THIS TRANSFER TO DOD PD IT IS FURTHER CONSIDERED THAT OPERATIONS AFTER JULY 1 WITH RELATED RESPONSIBILITIES OR LIABILITIES ARE AUTOMATICALLY A RESPONSIBILITY OF THE DOD PD PARA PD WE MUCH PREFER TO RETAIN FORMER LANGUAGE SUGGESTED FOR PARA 6 PD THIS WOULD EFFECT DELETION OF THE WORDS CLN "AND WHICH THE NAVY HAS NOT SEPARATELY CONTRACTED FOR BEFORE THAT DATE" THE PRESENT LANGUAGE COULD PERMIT A DUPLICATION ALTHOUGH UNLIKELY CMM AS THERE IS NO REQUIREMENT FOR THE NAVY TO NOTIFY US OF CONTRACTS ENTERED INTO BEFORE JULY 1 PD PARA PD IN CONNECTION WITH PARA 8 SUBPARA D CMM WE ARE UNABLE TO CLEARLY IDENTIFY THE HERTFORD-ANDERSON MEMO OF UNDERSTANDING DTD 30 OCT 1959 PD WE HAVE A MEMO OF UNDERSTANDING WHICH WAS TRANSMITTED TO THIS OFFICE ON 2 NOV 1959 BY BRIG GEN GEORGE T DUNCAN WHICH MAJ GEN C H ANDERSON SIGNED PD OUR COPY DOES NOT SHOW HIS DATE OF SIGNATURE PD IT COULD WELL BE OCT 30 PD SIGNATURE OF THE MGR ALO CMM TO THIS DOCUMENT IS INDICATED AS NOV 4 1959 PD ALSO CMM WE BELIEVE THE MEMO OF AGREEMENT BETWEEN AEC AND PMR EFFECTIVE DURING THE PERIOD BEGINNING JAN 1 1959 CMM SHOULD ALSO BE LISTED AS SUSPENDED AND SUPERSEDED PD AGREEMENT WAS SIGNED BY K F HERTFORD CMM MGR ALO J P MONROE COMMANDER PMR AND C C HARTMAN CMM COMMANDANT ELEVENTH NAVAL DIST END TA VWL-2504 CC PAGE TWO LINE TWO WORD TO READ * ARISING VICT ARISINT

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REC OK ONE TOT VIA TWX END GC

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