



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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SEP 12 1975

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Dear Senator Borja:

This is a followup to my letter of July 24, 1975 which promised that we would keep you informed of progress here with respect to the proposed Rongelap compensation matter.

Authorizing legislation is now being drafted. On a number of points, the Department has diverged somewhat from the guidelines which you submitted in your letter of May 22, 1975. Most of our proposed changes are in the nature of clarification although we have reservations on one or two aspects.

1. "Payments to the 24 exposed Rongelapese who have had thyroid glands removed by surgery."

After consultation with Dr. Robert Conard, it was decided to expand this section by providing equal compensation for the two boys who sustained marked injury to their thyroids as evidenced by atrophy and also for an individual who had surgical removal of a neck tumor.

2. "Payments in equal amounts of \$50,000 of compensation each to the natural mother and father of leukemia victim, (deceased), and of \$50,000 each to the natural mother and father of any future leukemia victims whose illness can be certified by Brookhaven National Laboratory or its successor, as being radiation related."

Considerable difficulty was experienced with this item. We understand the special reasons why both the natural mother and father were singled out in the case of [redacted]. The clause specifying similar payment to natural parents in any future occurrence would be restrictive and possibly detrimental to the direct heirs of any such individual. While it is not anticipated that any future cases will arise, it is our belief here that any reference to compensation of this nature should simply specify, "the heirs of a person dying from radiation-related causes." A hypothetical case might be that of an adult male whose natural parents are deceased but who leaves a wife and family. Compensation specified by law to "natural parents," who might be

cc: Dr. Robert Conard

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deceased, would create problems. The direct heirs of the parents might not be the widow and children of the individual concerned. The generalized wording we propose will fit the special circumstances of as his parents were his direct heirs. Additionally, we believe that there must be a more realistic amount of compensation computed for circumstances of this nature.

3. "Payment of \$1,000 each to the 157 exposed Utikerese as an inconvenience payment."

This is acceptable as it stands.

4. "The provision of a special sum from which annual payments of \$25,000 are to be given annually to each of the island communities of Rongelap and Utirik for community projects."

It is the strong belief here that if there are needs of this nature they should be handled through the Trust Territory budget. The intent of the payment of this particular piece of legislation is to compensate individuals for injuries or inconveniences suffered.

This aspect has been discussed with certain staff members of appropriate Congressional committees and they have indicated that it is their belief also that the committees would not be prepared to accept this particular item.

5. "Provision of a contingency fund for future payments."

We concur with this item although there may likely be some reduction in amount.

We will keep you informed and forward a copy of the draft legislation as soon as it is completed.

Sincerely yours,

(Sgd) Emmett M. Rice

Deputy Director of Territorial Affairs

Honorable Olympio T. Borja
Chairman, Special Joint Committee
Concerning Rongelap & Utirik Atolls
Congress of Micronesia
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