

-- N O T E --

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APPROPRIATION COMMITTEE HEARING TRANSCRIPT

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9⁰⁰ AM JUNE 27, 1978
(Deadline)

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We shall appreciate your cooperation.

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Francis M. Wiles

Enclosure

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1 RPTR CANTOR

2 [10 a.m.]

3 DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS

4 FOR 1979

5 Monday, June 19, 1978

6 TRUST TERRITORY

7 Witnesses

US DOE ARCHIVES	
326 U.S. ATOMIC ENERGY	
RG	COMMISSION
Collection <u>Dos/Deal Files</u>	
Box	<u>13 Job 1326</u>
Folder	<u>Marshall Islands</u>
<u>JAN-JUNE 1978</u>	

8 RUTH G. VAN CLEVE, DIRECTOR, OFFICE OF TERRITORIAL

9 AFFAIRS, DEPARTMENT OF THE INTERIOR

10 GEORGE MILNER, DEPUTY DIRECTOR FOR PROGRAM AND POLICY,

11 OFFICE OF TERRITORIAL AFFAIRS, DEPARTMENT OF THE INTERIOR

12 JOHN deYOUNG, SENIOR STAFF ASSISTANT FOR PACIFIC AFFAIRS,

13 DEPARTMENT OF THE INTERIOR

14 HUGH GALLAGHER, BUDGET OFFICER, OFFICE OF TERRITORIAL

15 AFFAIRS, DEPARTMENT OF THE INTERIOR

16 LEO M. KRULITZ, SOLICITOR, DEPARTMENT OF THE INTERIOR

17 C. BREWSTER CHAPMAN, ASSISTANT SOLICITOR, DEPARTMENT OF

18 THE INTERIOR

19 JOSEPH DEAL, ASSISTANT DIRECTOR FOR FIELD OPERATIONS, 4

20 DIVISION OF OPERATIONAL AND ENVIRONMENTAL SAFETY, DEPARTMENT
21 OF ENERGY

22 TOMMY Mc^CGRAW, DIVISION OF OPERATIONAL AND ENVIRONMENTAL
23 SAFETY, DEPARTMENT OF ENERGY

24 DR. WALTER WEYZEN, DIVISION OF BIOMEDICAL AND
25 ENVIRONMENTAL SAFETY, DEPARTMENT OF ENERGY

26 GERALD B. HELMAN, DEPUTY ASSISTANT SECRETARY OF STATE FOR
27 INTERNATIONAL ORGANIZATION AFFAIRS, DEPARTMENT OF STATE

28 OSCAR DeBRUM, DISTRICT ADMINISTRATOR, MARSHALL ISLANDS
29 DISTRICT, TTPI

30 TOMAKI JUDA, MAGISTRATE, KILI COUNCIL, KILI COMMUNITY,
31 MARSHALL ISLANDS

32 NATHAN NOTE, SCRIBE, KILI COUNCIL, KILI COMMUNITY,
33 MARSHALL ISLANDS

34 JENDRIK LEVITICUS, REPRESENTATIVE OF THE CURRENT RESIDENTS
35 OF BIKINI ISLAND

36 KESSAI NOTE, INTERPRETER AND MEMBER OF THE KILI COMMUNITY

37 JOHNATHAN M. WEISGALL, COUNSEL, COVINGTON AND BURLING,
38 WASHINGTON, D.C.

DOE ARCHIVES

39 Mr. Yates. The hearing will come to order.

40 Mrs. Van Cleve, would you like to join us at the table?

41 We are pleased today to have with us again Mrs. Ruth G.

42 Van Cleve, Director, Office of Territorial Affairs of the

43 Department of Interior; Mr. ^{L Joe} Joseph Deal, Department of

44 Energy; Mr. Gerald Helman, Deputy Assistant Secretary of

45 State for International Organization Affairs.

46 I am told that Mr. Winkel will not be with us this morning

47 because of his son, which is understandable.

48 I think we had better get all the people who are going to

49 say anything up from the table here.

50 You are from the State Department. We thank you for

51 coming this morning.

52 Mr. Deal, do you have anything to say?

53 We have a statement from Mrs. Van Cleve. Your statement

54 and Mr. Winkel's statement may be made a part of the record.

55 [The information follows:]

56

57 ***** INSERT 1A *****

DOE ARCHIVES

58 Mr. Yates. Mrs. Van Cleve.

59 Mrs. Van Cleve. Mr. Chairman, if I may give a very brief
60 summary of mine, then I would like very much to read the
61 High Commissioner's statement, if I may. It is a report on
62 his recent trip to the affected islands, and I think it
63 would be helpful if it were fully presented.

64 My own brief statement says simply that the
65 representations that we made to you at our hearing in May we
66 are continuing to meet. We expect that the Bikini people
67 will be relocated in the 75 to 90 days that we then
68 projected. We have placed the orders for the raw material
69 for the facilities that are necessary for their temporary
70 relocation, and we have made the selection of Kili Island as
71 the temporary relocation site.

72 [The information follows:]

73

74 ***** INSERT 1B *****

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75 Mr. Yates. What do you do with respect to the desire of
76 the Bikinians to stay where they are at?

77 You wrote a letter in which you said, in a letter dated
78 June 12: "At the hearing on Bikini on May 22, I promised
79 to apprise you by June 12 of the results of the visit of the
80 High Commissioner to Bikini to meet with the people living
81 there and to learn their preference for relocation from
82 Bikini Island.

83 "High Commissioner Winkel has telephoned to report that
84 their first preference is to remain on Bikini Atoll. The
85 Bikinians ask that the time between now and the date they
86 must move from Bikini Island be used for additional studies
87 by the Department of Energy to determine more definitely
88 whether or not Eneu is a suitable alternative. We have
89 asked DOE to complete its tests promptly. DOE ARCHIVES

90 "The Bikini Island residents expressed great concern
91 about moving anywhere else in the Marshalls, because to do
92 so would 'intrude upon the rights of others.' If they must
93 leave Bikini Atoll, they have asked the High Commissioner to

8

94 designate the site. He currently believes that the final
95 choice would be Jaluit or Kili.

96 'Mr. Winkel and I will discuss in detail the results of
97 his trip to Bikini, Kili, and Jaluit with you and the
98 Committee at the June 19 hearing.'

99 [The information follows:]

100

101 ***** INSERT 1C *****

102 Mr. Yates. Your letter indicates that the Bikinians want
103 to stay on the atoll. Is that impossible?

104 Mrs. Van Cleve. In our judgment, it would be improper for
105 them to remain because of the medical risks involved, and
106 the Department of Energy agrees with that conclusion.

107 Accordingly, we mean to persist in our plans to relocate
108 them, this, in the interests of their physical safety. We
109 recognize, of course, their preference to remain. That is
110 why we have had this problem for some 30 years and will
111 continue for some decades hence. We are simply trying to
112 meet it in the most reasonable way we know, recognizing the
113 physical threats that exist if they remain at least on
114 Bikini Island.

115 Mr. Yates. Let's look at it a minute before we go to the
116 High Commissioner's statement.

117 The reason they cannot remain there is because of the
118 radioactivity of the coconuts and water. It was the food,
119 the intake, rather than the external causes; is that
120 correct?

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121 Mrs. Van Cleve. I believe it is a combination of both.

122 Mr. Yates. That wasn't Mr. Deal's testimony the last

123 time. As I remember his testimony the last time, it was

124 internal causes rather than external causes; is that right,

125 Mr. Deal?

126 Mr. Deal. I think maybe both are right. The external

127 radiation has to be considered. The internal is so high

128 that it overshadows the external.

129 Mr. Yates. How potent is the external; and suppose you

130 did not have the internal radiation? Would it be feasible

131 for them to remain?

132 Mr. Deal. The external radiation is about like Denver,

133 Colorado.

134 Mr. Yates. It would be as dangerous as Denver, Colorado

135 is to those who live in Denver?

136 Mr. Deal. Yes, sir.

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137 Mr. Yates. They are not evacuating the City of Denver,

138 are they?

139 Mr. Deal. I hope not.

140 Mr. Yates. So, therefore, the amount of external
141 radiation in the City of Denver is not considered sufficient
142 for that city to be evacuated. I assume, therefore, that if
143 that is the same condition on Bikini, the basic cause for
144 your suggestion or your recommendation that Bikinians be
145 evacuated is the ingestion of the food and the water;
146 correct?

147 Mr. Deal. Yes, sir.

148 Mr. Yates. Now if the Bikinians wanted to stay there,
149 stay on their atoll, if they did not consume the water and
150 the food that was there, I would deduce from what you say
151 that it would be as dangerous for them to live on Kili or
152 Jaluit or any one of the other islands as it would on
153 Bikini, right?

154 Mr. Deal. Yes, sir, the other islands are quite----

155 Mr. Yates. That gets us to the basic question then: Can
156 you feed them and give them water from other sources that
157 would permit them to stay on Bikini so that they would not
158 be taking in the radiated food and water? You are looking ^{Can}
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159 for friends in Interior?

160 Mr. Deal. If you ask my opinion, Mr. Chairman, I don't

161 know. I have personally concluded that it is probably

162 impractical to have people living in the area ^{can where they are} ~~not being~~ able

163 to farm it and to take the water from the area. I think

164 that is a practical situation.

165 Mr. Yates. Suppose you were to plant other coconut trees.

166 How long does it take coconut trees to come?

167 Let's ask the next question. We talk as though coconuts

168 were the only food there. Isn't there other food?

169 Mrs. Van Cleve. There is, indeed.

170 Mr. Yates. What other foods do they eat?

171 Mrs. Van Cleve. Breadfruit, papaya, sweet potatoes.

172 Mr. Yates. Are all of these contaminated?

173 Mrs. Van Cleve. All of these have turned out to be

174 contaminated when grown in Bikini.

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175 Mr. Yates. That is because of the soil being

176 contaminated?

177 Mrs. Van Cleve. That is correct.

178 Mr. Yates. And the contamination in the soil is
179 transferred to the food, and there is no way they can grow
180 food without it being contaminated; is this correct?

181 Mr. Deal. That is correct.

182 Mr. Yates. How much of a chore is it to bring food in
183 from the outside? Suppose it were a barren atoll; they
184 didn't have the opportunity to grow things.

185 Mrs. Van Cleve. I think it is entirely feasible to bring
186 food in from the outside. What we believe, however, also to
187 be true, is that it is not feasible to expect Pacific
188 Islanders to live on an island and not eat the things that
189 are growing there and not drink the water that is there. We
190 could feed them entirely from outside sources, but we could
191 not bar them effectively from eating local produce.

192 Mr. Yates. How do they get their water now? What is the
193 water that is contaminated? Is it from wells?

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194 Mrs. Van Cleve. It is a groundwater supply as I
195 understand it, yes.

196 Mr. Deal. My understanding is that there are some

197 cisterns too, some runoff water from rain, but I think it is
198 the wells too. They have to use the wells under certain
199 conditions. There isn't enough cistern water.

200 Mr. Yates. There is not enough cistern water. The
201 cistern water is not contaminated, is it?

202 Mr. Deal. Not to any extent to cause them this kind of
203 problem, sir.

204 Mr. Yates. And the well water is contaminated?

205 Mr. Deal. Yes, sir, it is.

206 Mr. Yates. Is there any way of decontaminating the well
207 water? Can you boil the contaminants out?

208 Mr. Deal. No, sir. ^{Not any practical way, might be done with} It would ~~take~~ a very sophisticated
209 system of resins ~~and stuff~~ used in chemical processing to
210 remove the radioactivity.

211 Mr. Yates. How difficult and how expensive is it?

212 Mr. Deal. I really don't know. We have never looked at
213 that problem that I know of, except back during the fallout
214 days there was a question about decontaminating milk, and
215 there was some looking at that problem. It is a similar

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216 problem here, but we would have to go back and take a hard
217 look at that.

218 Mr. Yates. Mrs. Van Cleve's assumption is they can't stay
219 there.

220 Have you looked at alternatives that would permit them to
221 stay there?

222 You nod your head. That means yes. The reporter has to
223 put that in the record and he can't put your nodding head in
224 the record.

225 Mrs. Van Cleve. I understand. I agree with what you
226 said.

227 Mr. Yates. I agree with what you said.

228 Mr. Yates. You agree with the postulate that I have made
229 that they cannot stay there.

230 Mrs. Van Cleve. That is our position.

231 Mr. Yates. And the Bikinians say they want to stay there.

232 Mrs. Van Cleve. Correct.

233 Mr. Yates. I think maybe we ought to get the Bikinians up
234 here at this point.

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235 Mrs. Van Cleve. They have a prepared statement, Mr.

236 Chairman.

237 Mr. Yates. Mr. Juda and Mr. Note, Mr. Weisgall, would you

238 take seats up at the table, and let's hear what it is that

239 you have to say.

240 Mr. Yates. What happened to Mr. Allen?

241 Mr. Leviticus. Mr. Allen, as I understand it, no longer

242 represents the Bikinians.

243 Mr. Yates. Mr. Weisgall, do you have a chair?

244 Mr. Weisgall. Yes, I do.

245 Mr. Yates. We have here the statement of Mr. Tomaki Juda

246 who testified at the last hearing.

247 Mr. Juda, we are pleased to have you with us again.

248 Do you want to tell us the results of what has transpired

249 since you were last here?

250 Mr. Weisgall. Mr. Chairman, I think Mr. Juda would like

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251 to have Kasai Note here read his statement if that is okay.

252 Mr. Yates. Mr. Note, you may proceed.

253 Mr. Note. Thank you, Mr. Chairman.

254 Mr. Yates. You had better speak up.

255 Mr. Note. [Presented on behalf of Tomaki Juda.] My name
256 is Tomaki Juda, Magistrate of the Kili Council. With me
257 today are Nathan Note, Kessai Note, and Jendrik Leviticus,
258 as well as legal counsel Johnathan M. Weisgall of Covington
259 & Burling in Washington, D.C. Of the four Bikinians before
260 you today, only Jendrik Leviticus currently lives on Bikini.

261 Mr. Yates. How long has Mr. Leviticus lived on Bikini?

262 Mr. Note. Four years now.

263 Mr. Yates. He went back 4 years ago. Had he lived on
264 Kili before?

265 Mr. Weisgall. He had lived on Kili after the emigration
266 away from Bikini, and he went back to Bikini 4 years ago.

267 Mr. Yates. You may proceed.

268 Mr. Note. Mr. Chairman, we accompanied High Commissioner
269 Winkel on his recent trip to Bikini and Kili, and we held
270 many long meetings with the people living on both islands.

271 Based on these meetings, we can report to you that it is the
272 strong wish of the people living on Bikini that they not

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273 leave their island. They told us that the President of the
274 United States announced in 1968 that Bikini Island was safe,
275 and they do not now understand why it has now been declared
276 dangerous. Bikini had again become their home, and they are
277 confused as to why they must leave once again.

278 This confusion was increased by a recent visit of Dr.
279 Conard, who has regularly examined the Bikinians for many
280 years on contract with the U.S. Government. Less than 1
281 week before we arrived with High Commissioner Winkel, Dr.
282 Conard visited the people living on Bikini and told them
283 that Eneu Island was safe and that they could eat and drink
284 the coconuts on Bikini Island. The High Commissioner then
285 arrived to announce that the people had to leave Bikini and
286 that Eneu is not considered safe at this time.

287 Mr. Yates. Who is Dr. Conard?

288 Mrs. Van Cleve. He is a doctor employed by the Department
289 of Energy.

290 Mr. Yates. And he is the one who has been regularly
291 examining them?

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292 Mr. Deal. Yes, sir, he ^{is} ~~would~~, at our National Laboratory
293 at Brookhaven, Long Island, New York. They go out every 6
294 months and make examinations of the people and they are now
295 making visits to the Bikinians. It is his people who made
296 the whole body county.

297 Mr. Yates. Dr. Conard, according to what our witness is
298 saying, has told them it is all right for them to stay
299 there?

300 Mr. Deal. I wasn't there, sir. I don't know what Dr.
301 Conard said.

302 Mr. Yates. You may proceed.

303 Mr. Note. After the assurances the Bikinians received
304 from President Johnson in 1968, and especially in light of
305 Dr. Conard's recent visit to the island, the people on
306 Bikini were--and still are--reluctant to face the fact that
307 they must leave. They have therefore asked us to convey two
308 requests to you today, Mr. Chairman. The first is for you
309 to clarify the comments made by Dr. Conard to the Bikinians
310 and to determine with what authority he was speaking. It is

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311 possible that his statements were made on the basis of old
312 information, but his comments, followed shortly by the High
313 Commissioner's visit, resulted in distrust and confusion.
314 The situation faced by the Bikinians is difficult enough as
315 it is without having two well-recognized people visit Bikini
316 within a short time of each other and make contradictory
317 statements about a matter of such importance.

318 Mr. Yates. Let me interrupt again.

319 What about the contradictory statement? You say they have
320 to leave. Dr. Conard says they can stay.

321 Mr. Deal. *I think* Mr. Chairman, ~~that~~ the Department of
322 Energy agrees officially with our ^{the Department of Energy} position that the people
323 of Bikini must leave, *the island* I cannot speak to Dr.
324 Conard's contradictory statements. I simply don't know
325 *who he said,*
about them

326 Mr. Yates. Who can speak to Dr. Conard's contradictory
327 statement?

328 Mr. Deal. All I can tell you, Mr. Chairman, is that when
329 we get through with this hearing, we will talk to Dr. Conard

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330 and get a statement from him?

331 Mr. Yates. Is he here?

His name has not been taken

332 Mr. Deal. No, sir. ~~He is in~~ New York. I think he is out

333 in the Pacific now. *Z* If he isn't, ~~as~~ soon as he gets to New

334 York, we will get you a statement from him and try to

335 clarify this situation.

336 Mr. Yates. But isn't your position based upon Dr. Conard's

337 examination?

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338 Mr. Deal. It is based not on his medical examinations but

339 on measurements that were made, which are not really medical

340 procedures as we indicated to you before, *As a whole Body Counter* with people

341 surrounded *by the people* by these counters. It is not a medical procedure

342 per se. It is possible he did not have the *results of the counter* information. I

343 think that is the best explanation I can give you now, that

344 he didn't have the information from the latest counts that

345 *came in when we were here last time* came in when we were here ~~last time~~.

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346 Mr. Yates. If he examined them, what does he examine them

347 for? Why do you have two examinations? Why do you have an

348 examination that is conducted with your radioactive

349 counters, and also an examination which apparently doesn't
350 mean anything, if what you say is true? Why would Dr.
351 Conard be examining them?

352 Mr. Deal. I think it is a general sick call offering
353 medical help where he can. That is what they usually do
354 when they go to Bikini because there are no problems like
355 there are in Rongelap and Utirik.

356 Mr. Yates. Why would Dr. Conard being an official of the
357 Department of Energy examine them on general sick call?

358 Mr. Deal. It is a humanitarian effort, just humanitarian.

359 Mr. Yates. You mean he is the only doctor that visits the
360 Bikinians?

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361 Mr. Deal. Yes, sir, he is one of the few. I don't know
362 how often the Trust Territory doctors visit.

363 Mr. Yates. What is his function with the Department of
364 Energy?

365 Mr. Deal. He works for one of our contractors, which is
366 the Brookhaven National Laboratory. ^{one of the} ~~Their~~ ^{the} major effort has
367 ^{has been} ~~been assigned~~ ^{is} the job of following up on the radiological

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368 and the medical side of our problems in the Pacific, and he
369 has been following the Rongelap and Utirik people, and when
370 we realized that Bikini was resettled, we had a monitoring
371 program calling for follow up there, and Dr. Conard's
372 people, because they were there, they had logistics and they
373 had a counter as part of their program, we just asked them
374 to start following up the Bikinian people too.

375 Mr. Yates. From what you are saying, it is not Dr.
376 Conard's function to engage in a sick call examination with
377 these people. His function is, as a part of his duties with
378 Brookhaven, to decide whether or not the people can stay
379 there; isn't it?

380 Mr. Deal. That is right.

381 Mr. Yates. So then why in the world would he tell them
382 there is nothing wrong?

383 Mr. Deal. As I say, I wasn't there, Mr. Chairman. The
384 best I can do is ^{WHEN} we can find Dr. Conard, we will talk to him
385 and get you a statement on what he said.

386 Mr. Yates. Were you aware that Dr. Conard was examining

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387 these people?

388 Mr. Deal. Not medical examinations. We knew they were
389 making the whole body counts in their area.

390 Mr. Yates. It seems incomprehensible to me that if they
391 were making body counts, if Dr. Conard was engaged in making
392 body counts and saw the results of the test, that he would
393 tell these people that everything was all right and give
394 them the impression that they could stay.

395 Mr. Deal. I am not sure that he had the results
396 instantaneously. They do have to do some data reduction when
397 they get back so he may not have had the full information on
398 the counts at the time.

399 Mr. Yates. When were they examined by Dr. Conard, the so-
400 called sick call? This witness says "This confusion was
401 increased by a recent visit of Dr. Conard, who has regularly
402 examined the Bikinians for many years on contract with the
403 U.S. Government."

404 Mr. Note, when did the examination by Dr. Conard take
405 place?

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406 Mr. Note. Mr. Chairman, it was around the last week of
407 May and the first week of June.

408 Mr. Yates. That is after our last hearing, isn't it? At
409 the last hearing it was noted by the Department of Energy
410 that in their opinion they couldn't stay there. It was
411 noted by the Department of Energy that the people living on
412 Bikini were becoming irradiated and they could not stay
413 there. Yet after that time, Dr. Conard assured these
414 people, if their testimony is correct, that they could stay;
415 is that correct?

416 Mr. Weisgall. That is my understanding, Mr. Chairman.
417 Dr. Conard apparently was on Bikini conducting these medical
418 examinations only a few days before High Commissioner Winkel
419 arrived. I believe the High Commissioner arrived some time
420 around June 4 or 5, so we were able to place Dr. Conard's
421 visit as after the May 19 hearing here in Washington, but
422 before June 2.

423 Mr. deYoung is now informing me that that is wrong.

424 Mr. Yates. What is that, Mr. deYoung?

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425 Mr. deYoung. The Brookhaven medical team was out in
426 Bikini Island the last week of April and the first week of
427 May. They were back in New York around the 4th or 5th of
428 May, and Dr. Conard did not leave again until last week.

429 Mr. Yates. Did not leave?

430 Mr. deYoung. For the Marshalls. He went back to the
431 Marshalls.

432 Mr. Yates. Is he now in the Marshalls?

433 Mr. deYoung. He is in the Marshalls, now at Kwajalein.

434 Mr. Yates. So actually his visit was a month before the
435 time indicated by Mr. Note.

436 Mr. deYoung. That is correct.

437 Mr. Yates. That clears up the chronology then.

438 Do you know what, Mr. deYoung, do you know what Dr. Conard
439 told these people?

440 Mr. deYoung. I have spoken several times with Dr. Conard
441 over the past month. When he was on----

442 Mr. Yates. Where did you talk to him; in the Pacific?

443 Mr. deYoung. No, at Brookhaven National Laboratories in

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444 Long Island, New York. It is true that when he was out in
445 Bikini Island, the Department of Energy had not informed us
446 that Eneu Island was not usable. We did not get that
447 information until just before the May 22 hearing. I think
448 we got it on about the 15th or 16th of May, so today Dr.
449 Conard did not have available to him in the field the
450 information that Eneu Island was also going to be off
451 limits.

452 He did indicate to me that he had said to the people that
453 they should not any longer eat any coconuts on Bikini, which
454 apparently they had been doing. We did not discuss the
455 question of what he said about Eneu, because at that point
456 in time I and other people were not aware that Eneu Island
457 was not going to be available to us as an alternate
458 resettlement.

459 Mr. Yates. Did he tell them not to eat the breadfruit and
460 the other vegetables as well or just coconuts?

461 Mr. deYoung. I do not know, because we did not discuss
462 this particular problem. However, all the other foods had

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463 been determined to be recycling radio nuclides, and the
464 assumption is of course that they were told all foods were----

465 Mr. Yates. Is that the same thing as saying they were
466 contaminated?

467 Mr. deYoung. Yes.

468 Mr. Yates. And they were told not to eat these?

469 Mr. deYoung. That is my understanding.

470 Mr. Yates. When were they told not to eat these?

471 Mr. deYoung. They were told this I know in the last week
472 of April--first week of May meeting. Perhaps the District
473 Administrator, Mr. DeBrum, can tell us if any earlier
474 warning was issued to them.

475 Mr. Yates. How would the warning be issued to them?
476 Would it be in writing? Would each of them receive a letter
477 or how would it be done?

478 Mr. deYoung. The District Administrator, Mr. DeBrum, who
479 is sitting right behind me, has a representative who
480 regularly goes to Bikini, and he has been sending a food
481 ship on a monthly basis to Bikini.

DOE ARCHIVES

29

482 Mr. Yates. Mr. DeBrum, will you come to the table,
483 please? I think you had better come up here too, Mr.
484 deYoung.

485 Mr. DeBrum, tell us when you first told the Bikinians they
486 were not to eat the food on Bikini. Tell us how you told it
487 to them, and tell us what foods you told them not to eat,
488 and whether you told them not to drink any water.

489 Mr. DeBrum. It is my recollection, sir, it was verbally,
490 not in writing, the instruction passed down to us by the
491 Department of Energy, then the Department of ERDA, to inform
492 them.,

493 Mr. Yates. When was this done?

494 Mr. DeBrum. To the best of my recollection, sir, about
495 two years ago.

496 Mr. Yates. Two years ago you were told to tell them not
497 to eat the food?

498 Mr. DeBrum. Not to eat the breadfruit, papayas and
499 others.

500 Mr. Yates. Two years ago?

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30

501 Mr. DeBrum. Yes, sir.

502 Mr. Yates. Why would you tell them that?

503 Mr. DeBrum. Because I was asked to pass that to them,

504 sir.

505 Mr. Yates. Did anybody tell you why you should pass it on
506 to them?

507 Mr. DeBrum. Yes. It was passed on, it was informed that
508 the food which was once thought to be edible, through
509 reexamination process it was found to have contaminations.

510 Mr. Yates. And that was two years ago?

511 Mr. DeBrum. As I remember it, two years ago, sir.

512 Mr. Yates. So that for the last two years they have been
513 ingesting food that they were not supposed to pick, right?

514 Mr. DeBrum. Yes.

515 Mr. Yates. Who did you tell that to?

516 Mr. DeBrum. We told that to the people on Bikini Island,

517 sir.

518 Mr. Yates. Did you tell it to each of the people?

519 Mr. DeBrum. We had a meeting and I was announcing that in

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520 public.

521 Mr. Yates. You had public meetings?

522 Mr. DeBrum. Yes, sir.

523 Mr. Yates. Two years ago?

524 Mr. DeBrum. Yes, sir, and another one----

525 Mr. Yates. Can you make it more specific? Could you tell
526 us the month two years ago?

527 Mr. DeBrum. I probably can look at the records, sir.

528 Mr. Yates. Will you furnish that for the record?

529 Mr. DeBrum. Yes, sir.

530 Mr. Yates. We would like to know specifically when that
531 happened.

532 Mr. DeBrum. Yes, sir.

533 [The information follows:]

534

535 ***** COMMITTEE INSERT *****

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536 Mr. Yates. After you received that--who did you receive
537 that instruction from?

538 Mr. DeBrum. I believe it was Mr. Roger Ray of the
539 Department of Energy.

540 Mr. Yates. Who is Roger Ray, Mr. Deal?

541 Mr. Deal. He is our representative ⁱⁿ ~~of~~ ^{Nevada} our Defense Office,
542 and he is responsible for planning our logistics and helping
543 our various groups of workers in the Marshall Islands get
544 proper logistics and so forth. He is our representative in
545 that area.

546 Mr. Yates. So he two years ago instructed Mr. DeBrum to
547 advise the people in Bikini not to eat the food or drink the
548 water, right? Is that right, Mr. DeBrum?

549 Mr. DeBrum. Yes, sir.

550 Mr. Yates. How did Mr. Ray pass that instruction on to
551 you, orally or by writing or how?

552 Mr. DeBrum. It was orally in a meeting we had on Bikini
553 Island, sir.

554 Mr. Yates. He was there?

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33

555 Mr. DeBrum. Yes, sir.

556 Mr. Yates. And had they conducted tests there at that
557 time? Was this instruction based upon tests that had been
558 conducted by ERDA at that time?

559 Mr. DeBrum. I am inclined to think so, sir.

560 Mr. Yates. You are inclined?

561 Mr. DeBrum. I am not sure.

562 Mr. Deal. Yes, sir, we have been running tests.

563 Mr. Yates. You have?

564 Mr. Deal. Yes.

565 Mr. Yates. And as long as two years ago you knew that
566 there was a condition in existence which required you to
567 instruct the Bikinians not to eat the food or drink the
568 water?

569 Mr. DeBrum. Yes.

570 Mr. Yates. How were they to live then? How were they to
571 eat and drink?

572 Did you think at that time of evacuating them?

573 Mr. DeBrum. We were then providing food at that time sir.

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34

574 Mr. Yates. How did you do that and what food did you
575 provide?

576 Mr. DeBrum. We provided regular staple items; rice,
577 flour, sugar and other items on a regular monthly basis
578 through ships.

579 Mr. Yates. Somebody tells me--I was willing to accept a
580 statement like that last time, Mr. DeBrum. Somebody tells
581 me it is not that easy to get in.

582 Mr. DeBrum. At times it is not easy, because of the
583 conditions, not on Bikini, sir. We have no problem with
584 weather. It is on Kili Island.

585 Mr. Yates. Kili Island, that is right.

586 Mr. DeBrum. That is right.

587 Mr. Yates. On Kili Island the surf is so heavy you cannot
588 get in?

589 Mr. DeBrum. Yes, sir.

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590 Mr. Yates. On Bikini you had no trouble at all. When did
591 you start to supply the Bikinians with food?

592 Mr. DeBrum. We started four years ago, sir.

35

593 Mr. Yates. Four years ago?

594 Mr. DeBrum. Yes, sir.

595 Mr. Yates. Why did you supply it four years ago?

596 Mr. DeBrum. Because they did not have anything to eat,

597 sir.

598 Mr. Yates. What happened? The coconuts had not yet

599 grown?

600 Mr. DeBrum. They had not yet produced.

601 Mr. Yates. What about water?

602 Mr. DeBrum. They had cisterns, water in their cisterns.

603 Mr. Yates. You did not supply them with water at that

604 time?

605 Mr. DeBrum. No. We did not supply them with well water

606 at that time because well water was questionable, but the

607 cistern water was not questionable at that time.

608 Mr. Yates. As long as four years ago?

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609 Mr. DeBrum. As long as four years ago, so we were giving

610 them cistern water.

611 Mr. Yates. As long as four years ago the well water was

612 questionable?

613 Mr. DeBrum. Yes, sir.

614 Mr. Yates. Four years ago would go to 1974?

615 Mr. DeBrum. Yes, sir.

616 Mr. Yates. And President Jonson had made his announcement
617 in 1968?

618 Mr. DeBrum. Yes, sir.

619 Mr. Yates. And the Bikinians began to come back starting
620 in 1972?

621 Mr. DeBrum. Yes, sir.

622 Mr. Yates. How long have you been assistant commissioner?

623 Mr. DeBrum. Since 1972, sir.

624 Mr. Yates. Since 1972?

625 Mr. DeBrum. Yes, sir.

626 Mr. Yates. And you agreed to the first Bikinians coming
627 back to this island?

628 Mr. DeBrum. Yes, I was with them, sir.

629 Mr. Yates. You were with them?

630 Mr. DeBrum. Yes, sir.

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631 Mr. Yates. How many went back with you?

632 Mr. DeBrum. At that time about 80-some people, 85 went
633 back.

634 Mr. Yates. 85 went back from Kili?

635 Mr. DeBrum. Yes, sir.

636 Mr. Yates. How did they get back there?

637 Mr. DeBrum. On a ship, sir. We took them on a ship.

638 Mr. Yates. The United States chartered a ship?

639 Mr. DeBrum. Trust Territory vessel, regular field trip
640 vessels.

641 Mr. Yates. Took the Bikinians back with all their luggage
642 and belongings and everything from Kili back to Bikini?

643 Mr. DeBrum. Yes, sir.

644 Mr. Yates. You still had no coconuts?

645 Mr. DeBrum. There were some on the island, but they were
646 there from the test time on the island, but they were not
647 edible.

648 Mr. Yates. Because they were too green?

649 Mr. DeBrum. No, they were not the edible type. They were

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650 wild coconuts.

651 Mr. Yates. And when did the edible come in?

652 Mr. DeBrum. I think it was not until about three years

653 ago, sir, two years ago, when they began to bear fruit,

654 about two years ago.

655 Mr. Yates. So for the previous two years you had been

656 supplying the Bikinians with food and water.

657 Mr. DeBrum. With food, not water; with food.

658 Mr. Yates. With food. The cistern water was enough?

659 Mr. DeBrum. Cistern water was enough, yes.

660 Mr. Yates. And they had not been drinking the well water

661 at this time, had they?

662 Mr. DeBrum. That I do not know, sir. They were told not

663 to drink it. I understand they had to use some. This is

664 the information I got.

665 Mr. Yates. How often did you visit Bikini Island?

666 Mr. DeBrum. On a regular monthly basis, sir, on field

667 trips.

668 Mr. Yates. You went there every month?

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669 Mr. DeBrum. No, I did not go there personally. I have
670 been to Bikini about three times, three times in a year I
671 visited them.

672 Mr. Yates. Each year?

673 Mr. DeBrum. Each year.

674 Mr. Yates. So that starting with 1972 you visited Bikini
675 three times, a year?

676 Mr. DeBrum. Yes, sir.

677 Mr. Yates. And four years ago you considered that the
678 well water was not safe for them to drink?

679 Mr. DeBrum. That is what we were told, sir.

680 Mr. Yates. By whom?

681 Mr. DeBrum. By the Department of Energy.

682 Mr. Yates. By Mr. Ray again?

683 Mr. DeBrum. Mr. Ray, yes. It was questionable, sir.

684 Mr. Duncan. May I ask a question.

685 Mr. Yates. Sure.

686 Mr. Duncan. I am curious when you first read the alleged
687 statement of Dr. Conard, Mrs. Van Cleve.

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688 Mrs. Van Clevel. As stated in the prepared statement that
689 was being delivered a few minutes ago, this is the first
690 time that I had heard so definitively of what he had said
691 with respect to the coconuts this recently.

692 Mr. Duncan. You did not have any knowledge of it until
693 you got into this room this morning, is that it?

694 Mrs. Van Clevel. I believe that is true, yes.

695 Mr. Duncan. Mr. Weisgall, when did you first learn of
696 this?

697 Mr. Weisgall. Mr. Duncan, I was told this yesterday by
698 Jendrick Leviticus, the Bikinian who currently resides on
699 Bikini. While this exchange has been going on between
700 Chairman Yates and District Administrator DeBrum, I
701 questioned Mr. Leviticus again about what is in the
702 statement.

703 He agrees he might be wrong on the timing, that in fact
704 Dr. Conard probably was on Bikini more than a month ago, but
705 he did repeat that at that time Director Conard said that it
706 was okay to eat the coconuts on Bikini. He also does recall

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41

707 being told two years ago by Mr. DeBrum that the other food
708 on Bikini Island was unsafe, but he is certain that the
709 Bikinians were told in late April-early May, whenever Dr.
710 Conard was last there, that it was okay to eat the coconuts
711 and drink the coconut milk on Bikini Island.

712 Mr. Duncan. You had no knowledge of these statements at
713 the last hearing, I take it?

714 Mr. Weisgall. Absolutely not.

715 Mr. Duncan. Did you call Mrs. Van Cleve or the office
716 yesterday when you heard about this?

717 Mr. Weisgall. I spoke last night with Mr. deYoung. I
718 called him at home when I first learned from the Bikinians
719 about the visit of Dr. Conard. I did not meet with them
720 until about 3 o'clock yesterday.

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721 I called Mr. deYoung at home about roughly 7 o'clock last
722 night. I told them that this statement would be made. I
723 asked him if he knew about Dr. Conard's statement, and I do
724 not believe he did, but I informed him last night, and I
725 have not seen Mrs. Van Cleve until this morning.

726 Mr. Duncan. Mrs. Van Cleve, you did not know about this
727 yesterday, I guess?

728 Mrs. Van Cleve. That is correct.

729 Mr. Duncan. Yesterday was Sunday. I suppose it would have
730 been difficult to get hold of Brookhaven Laboratories. Did
731 you make any effort to get a hold of them this morning to
732 clarify this, Mr. deYoung?

733 Mr. deYoung. Dr. Conard is this week in Kwajalein and
734 Majuro in the Marshall Islands.

735 Mr. Duncan. Yes, you told us that.

736 Mr. deYoung. I did speak last Friday to his
737 administrative assistant, who had not been with him, so that
738 we were not able to check with Dr. Conard himself precisely
739 what he did say at this late April-early May visit. As he
740 indicated, he had told me after his return that he had been
741 asked the question about, could they eat and drink coconuts
742 from Eneu Island, and his answer to me was yes, but as I
743 said, that was the same information that we at that time had
744 in our possession here, because the Department of Energy had

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43

745 not yet informed us that Eneu Island should not be used.

746 Mr. Duncan. Do you have any, either in the Department of
747 Interior or the Department of Energy, written report from
748 Dr. Conard about that, about Bikini, where he made the
749 alleged statement?

750 Mr. deYoung. Dr. Conard makes his reports to the
751 Division, Biomedical and Environmental Services of the
752 Department of Energy. A representative from that division
753 is here this morning, Dr. Weyzen, who was here before.

754 I have not seen a copy of the field trip report of the
755 April visit to Bikini Island.

756 Mr. Duncan. In due course, Mr. Chairman, I would like to
757 have you call Dr. Weyzen and ask him. There must be some
758 written reports about a statement of this and I would like,
759 if you do not mind, when you get through with these people
760 to call Dr. Weyzen and ask him about those reports.

761 I would like to say that I am delighted that you called
762 him yesterday. I sat here for a while and had the feeling 44
763 that we had not a cooperative process operating here but an

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764 adversary process, and I am delighted that you called as
765 soon as you learned about it, sir.

766 That is all, Mr. Chairman.

767 Mr. Yates. I refer to our hearings for this year, part 5,
768 page 1171, where we were asking Mr. Deal some questions, and
769 I asked him some questions about monitoring on Bikini
770 Island:

771 'Mr. Yates. When did you get to see him then?

772 'Mr. deYoung. As Mr. Deal indicated, when this high
773 level of cesium was revealed a series of analyses were
774 carried out.

775 'Mr. Yates. When was it revealed?

776 'Mr. deYoung. In 1976.'

777 I do not understand something here. Four years ago,
778 according to Mr. DeBrum's testimony, the Bikinians were told
779 not to drink the water.

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780 Mr. DeBrum. Well water.

781 Mr. Yates. Well water because of radiation?

782 Mr. DeBrum. It was questionable at that time, sir; that

45

783 is the word.

784 Mr. Yates. Were they ever told though they would be
785 allowed to drink the well water?

786 Mr. DeBrum. They assumed that they would be able to when
787 they first moved out there. They assumed they could use
788 everything on the island.

789 Mr. Yates. That is 1972.

790 Mr. DeBrum. Yes, sir.

791 Mr. Yates. But then four years ago, which would be 1974--
792 and you are going to let us know?

793 Mr. DeBrum. Yes, sir.

794 Mr. Yates. You are going to check the records and let us
795 know the exact time.

796 Four years ago you were told by Mr. Ray that they should
797 not drink the water?

798 Mr. DeBrum. Yes, sir.

799 Mr. Yates. The well water?

800 Mr. DeBrum. Yes, sir.

801 Mr. Yates. Was there anything told to you at that time?

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46

802 There were not any coconuts growing at that time. What was
803 growing on the island four years ago?

804 Mr. DeBrum. There was some being grown at that time.

805 Mr. Yates. Some coconuts?

806 Mr. DeBrum. They had not been producing.

807 Mr. Yates. No coconuts?

808 Mr. DeBrum. No.

809 Mr. Yates. Wild coconuts only?

810 Mr. DeBrum. Wild coconuts.

811 Mr. Yates. What was growing? Was breadfruit growing?

812 Mr. DeBrum. Breadfruit was growing but they had not
813 produced fruit yet.

814 Mr. Yates. No food from breadfruit?

815 Mr. DeBrum. No, sir.

816 Mr. Yates. Was anything else growing?

817 Mr. DeBrum. Pandanus.

818 Mr. Yates. Edible pandanus?

819 Mr. DeBrum. Yes, sir, edible pandanus.

820 Mr. Yates. Were any tests made of the pandanus at that

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821 time?

822 Mr. DeBrum. We were told there were some tests made of
823 that.

824 Mr. Yates. Were you told not to eat the pandanus?

825 Mr. DeBrum. Pandanus was one of those classified as not
826 edible.

827 Mr. Yates. Not edible?

828 Mr. DeBrum. Yes, sir.

829 Mr. Yates. So there was nothing they could eat and they
830 could not drink well water four years, correct?

831 Mr. DeBrum. That is my understanding.

832 Mr. Yates. You were there?

833 Mr. DeBrum. Yes, sir.

834 Mr. Yates. Were you the man on the top?

835 Mr. DeBrum. Yes, sir. I still am, sir.

836 Mr. Yates. No double entendre, I hope.

837 So then when did the coconuts ripen and become edible?

838 Mr. DeBrum. Well, I think two years back, sir.

839 Mr. Yates. 1976?

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840 Mr. DeBrum. 1976 we began to eat. I ate some myself,

841 sir.

842 Mr. Yates. You did?

843 Mr. DeBrum. Yes, sir.

844 Mr. Yates. You look healthy.

845 Mr. DeBrum. Well, I hope I am, sr.

846 Mr. Yates. I hope you are too, but were you told not to

847 eat the coconuts two years ago?

848 Mr. DeBrum. It was questionable at that time, but as

849 people said, when the scientists visited them and worked

850 with them in the field, some of them would express the

851 opinion that it is a safe thing to drink and to eat.

852 Mr. Yates. In 1976??

853 Mr. DeBrum. Yes, sir.

854 Mr. Yates. And this is Dr. Conard working in the field

855 who is saying this?

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856 Mr. DeBrum. That is according to the people, sir.

857 Mr. Yates. Was there anybody else in the field other than

858 Dr. Conard during this period?

859 Mr. Deal. Mr. Chairman, we have a number of people from
860 our Department of Energy, researchers that were out there.

861 Mr. Yates. Place in the record a list of all of those.

862 Mr. Deal. Yes, sir.

863 [The information follows:]

864

865 ***** COMMITTEE INSERT *****

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866 Mr. Yates. Mr. Weisgall, is there an answer to it that
867 they remember?

868 Mr. Weisgall. I am told, Mr. Chairman, of the name of a
869 Dr. Greenhouse, I believe, who conducted some of the
870 contamination tests at the time.

871 Mr. Yates. We are now up to 1976. Let's go back to the
872 interrogation on page 1171:

873 'Mr. deYoung. Were you still with the AEC in 1976?

874 'Mr. Deal. We were ERDA 1976.

875 'Mr. Yates. So you became a little more alarmed than
876 when you were the Atomic Energy Commissioner? In 1976 you
877 first encountered this kind of a test? Is this an annual
878 test you are making of the people?'

879 Of course, in retrospect now my question is not correct,
880 because you knew about it in 1974. You knew about the water
881 certainly in 1974. In 1976 the coconuts were first becoming
882 ripe. Mr. deBrum, together with the Bikinians, was eating
883 the coconuts. But you were not drinking the water?

884 Mr. DeBrum. Not the well water.

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51

885 Mr. Yates. Were you eating the pandanus in 1976?

886 Mr. DeBrum. Some people ate them.

887 Mr. Yates. They ate the pandanus. Waht else was growing

888 there?

889 Mr. DeBrum. Papaya was growing on the island.

890 Mr. Yates. Papaya. Anything else?

891 Mr. DeBrum. Pumpkins.

892 Mr. Yates. Pumpkins?

893 Mr. DeBrum. Yes.

894 Mr. Yates. And people were eating all of these things,

895 all the vegetables?

896 Mr. DeBrum. We had the indication that some of them

897 admitted they ate them, sir.

898 Mr. Yates. They ate them?

899 Mr. DeBrum. Yes.

900 Mr. Yates. And were you told you were not to eat them?

901 Mr. DeBrum. They were told that it was questionable, sir,

902 not to eat them.

903 Mr. Yates. And all during the period starting in 1972,

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52

904 every month a ship came to Bikini with food?

905 Mr. DeBrum. Yes.

906 Mr. Yates. And water?

907 Mr. DeBrum. No, no water.

908 Mr. Yates. Just food?

909 Mr. DeBrum. Yes.

910 Mr. Yates. So they were drinking the cistern water?

911 Mr. DeBrum. Yes.

912 Mr. Yates. And you were supplying them with food. Were

913 you supplying them with enough food?

914 Mr. DeBrum. At times; we tried to supply them with

915 enough. There were times when we could not get there in

916 time, sir.

917 Mr. Yates. So in the meantime they had to eat coconuts?

918 Mr. DeBrum. Sometimes they were eating coconuts, yes.

919 They indicated that to us.

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920 Mr. Yates. They did?

921 Mr. DeBrum. Yes.

922 Mr. Yates. Why could you not get there in time?

923 Mr. DeBrum. We wanted to get there in time. At times we
924 had broke down in ships, down to one ship, taking it to
925 other islands. Sometimes when the odds were against us we
926 tried to do the best we could.

927 Mr. Yates. What do you mean, the odds were against you?

928 Mr. DeBrum. We were down to one ship at that time.

929 Mr. Yates. And one ship would not service the island or
930 the people?

931 Mr. DeBrum. It takes three ships to service, make a
932 complete circuit of the Marshall Island group, once a month.

933 Mr. Yates. How many ships do you need for the food for
934 the people who were on Bikini? Was one ship adequate for a
935 month's supply of food?

936 Mr. DeBrum. If we have one ship committed to Bikini, yes,
937 one ship will do it. We have a ship that is committed to
938 also service the other islands in the Marshall Islands.

939 Mr. Yates. You mean provide food for the other islands?

940 Mr. DeBrum. Service, it brings in copra and takes in
941 trade so they can buy it.

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942 Mr. Yates. Maybe we had better find out about where you
943 work throughout the islands. This Bikini test and that will
944 come later.

945 How long would your lapses be? Presumably your schedule
946 was one ship a month with food for Bikini.

947 Mr. DeBrum. Yes.

948 Mr. Yates. And how often were there lapses in this?

949 Mr. DeBrum. Not very much. There were times when we
950 could not provide a ship until it was a month and a half
951 late, sir.

952 Mr. Yates. A month and a half late; you mean two weeks
953 after the schedule.

954 Mr. DeBrum. Two weeks after.

955 Mr. Yates. After the schedule date. And what kind of
956 food? You said you provided staples? What do you mean by
957 staples?

958 Mr. DeBrum. Staples in Marshallese terms is rice, flour,
959 canned meats, milk.

960 Mr. Yates. No coconuts?

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55

961 Mr. DeBrum. No coconuts.

962 Mr. Yates. I mean from the other islands.

963 Mr. DeBrum. We never shipped any coconuts from the other
964 islands.

965 Mr. Yates. Why would you not? If coconuts were such a
966 delicacy for the Bikinians, why would you not provide
967 coconuts for them too?

968 Mr. DeBrum. It was not a part of our feeding program, sir.

969 Mr. Yates. If you were a Bikinian you would have liked
970 coconuts, would you not, from other islands?

971 Mr. DeBrum. I would be climbing a tree and getting it
972 myself.

973 Mr. Yates. You would not worry about it.

974 Mr. McKay. Excuse me.

975 How do you get coconuts in the program? What kind of a
976 bureaucratic round-about do you have to go through to get
977 them on the program?

978 Mr. DeBrum. I guess we just include it, make sure we have
979 enough money to go around.

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56

980 Mr. McKay. Would you have authority to approve it?

981 Mr. DeBrum. No, sir. It would have to be approved by the
982 High Commissioner.

983 Mr. McKay. Could he approve it alone or would he have to
984 get approval up here?

985 Mr. DeBrum. I think he has authority to approve it, the
986 High Commissioner.

987 Mrs. Van Cleve. Yes.

988 Mr. Yates. Mr. DeBrum, you said if coconuts were not
989 supplied to you as a Bikinian, you would be climbing the
990 trees to get them?

991 Mr. DeBrum. Yes, if they were available on the island,
992 yes.

993 Mr. Yates. And they are available on the island, are they
994 not?

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995 Mr. DeBrum. Yes.

996 Mr. Yates. So if you do not give them the coconuts they
997 are going to climb the trees to get the coconuts, even if
998 they are contaminated?

999 Mr. DeBrum. They have been doing that, sir.

1000 Mr. Yates. Let's go back to the interrogation?

1001 'Mr. Deal, you are ERDA in 1976 and then you became a

1002 little more alarmed when you were with the Atomic Energy

1003 Commission. In 1976 you first encountered this kind of a

1004 test. Is this an annual test you will be making to people?

1005 'Mr. Deal. Yes, sir.

1006 'Mr. Yates. What kind of tests, monthly, semiannually,

1007 every four months or what ?

1008 'Mr. Deal. I can supply you a statement for the record

1009 and will give you some information.'

1010 Then there is placed in the record appearing on pages 1172

1011 and 1173 a pretty good statement of tests that were made and

1012 a very bad estimate of the results of the tests. We find in

1013 1964 the findings, photographed and identified organisms;

1014 no gross anomalies seen in plants and animals due to

1015 radioactivity.

1016 1967, major exposure to the Bikinians is very considerable

1017 on the atoll.

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1018 February 1967, confirmed earlier survey results for
1019 external radiation.

1020 That does not tell us anything. CS-137 is there,
1021 strontium 90 predominate in terrestrial organisms, CO-60 and
1022 FE-55 in marine organisms.

1023 What does that mean, Mr. Deal?

1024 Mr. Deal. It means that in the fish that they were
1025 catching they found cobalt-60 and ⁶⁰X-55.

1026 Mr. Yates. In large amounts?

1027 Mr. Deal. I do not know, sir.

1028 Mr. Yates. This result does not show that then?

1029 Mr. Deal. No. We did not try to give you a complete copy
1030 of the reports. We just tried to give you the highlights of
1031 the surveys at the time, and probably, as you say, did a
1032 pretty poor job on that.

1033 Mr. Yates. Right. Okay, I think you had better put a
1034 better job in.

1035 Mr. Deal. We can improve this.,

1036 Mr. Yates. Now we turn to June 1970, two years after

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1037 President Johnson says to the people of Bikini, "You may
1038 return to your ancestral homeland." They have a team that
1039 is checking air samples, soils, plants and so forth. Then
1040 findings: "Conform earlier survey results," whatever that
1041 means, "levels of PU in air are two orders of magnitude
1042 below FRC guides."

1043 What is PU?

1044 Mr. Deal. Plutonium, sir.

1045 Mr. Yates. Plutonium in the air.

1046 What about cesium and strontium?

1047 Mr. Deal. It is still in the soil, sir, but I do not
1048 think it was getting in the air.

1049 Mr. Yates. It does not say anything in that finding, does
1050 it?

1051 Mr. Deal. No, sir. As I say, we will just have to flesh
1052 these out for you.

1053 Mr. Yates. Presumably at that time everything was fine.

1054 President Johnson had told the Bikinians they could come
1055 back, right?

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1056 Mr. Deal. Yes.

1057 Mr. Yates. He would never have said that if somebody in
1058 authority had not said to President Johnson, it is perfectly
1059 all right for these people to come back, right?

1060 Mr. Deal. Yes, that is true.

1061 Mr. Yates. Then we turn to May 1972 and you have another
1062 examination.

1063 "Follow-up survey conducted after coconuts planted on
1064 Bikini and Eniwetok Islands. Team led by University of
1065 Washington with participation by scientists from Western
1066 Environmental Research Laboratory."

1067 Is that in Portland?

1068 Mr. Deal. No, sir. It is an EPA laboratory in Las Vegas.

1069 Mr. Yates. Then they had air sampling, checked soils,
1070 plants and animals. This is 1972. The finding is:

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1071 "Radio nuclide levels slowly decrease. Earlier estimates
1072 confirmed by these data," whatever that means. That does
1073 not tell us anything, does it?

1074 Mr. Deal. No, sir.

1075 Mr. Yates. Except ''slowly decrease.'' We do not know
1076 from what level they are decreasing, do we?

1077 Mr. Deal. No, sir. You have to go back to the earlier
1078 surveys.

1079 Mr. Yates. You go back to the earlier ones and they do
1080 not tell us, do they?

1081 Mr. Deal. No, sir, I am sorry about that.

1082 Mr. Yates. Then in April 1974 we have another
1083 examination, and then we look at the findings, and it says
1084 ''CB&L 50474 in BO 26932.'' It does not tell us very much.

1085 Mr. Deal. No, sir. They are reports.

1086 Mr. Yates. Then in November 1974 we have another test.
1087 Again we refer to C&VO 26932, and BNL 50796 in the press.

1088 Then in April 1975 you have another survey and again you
1089 are told to see some reports.

1090 Now in June 1975 there is a major survey of Bikini and
1091 Eneu Island external radiation levels by the Lawrence
1092 Livermore Laboratory from ERDA, and so forth and so forth.

1093 Then we have a finding: ''Exposure rates on Bikini Island

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1094 highly variable.' ' What do we mean by exposure rates?

1095 Mr. Deal. You get a wide variation of radiation

1096 measurements across the island, sir.

1097 Mr. Yates. External?

1098 Mr. Deal. Yes, sir.

1099 Mr. Yates. This is all external?

1100 Mr. Deal. It would be the external and the internal. It
1101 is the same.,

1102 Mr. Yates. When we talk of exposure rates, we are talking
1103 about the exposure of the people of Bikini both internally
1104 and externally?

1105 Mr. Deal. That is correct, and the cesium is the bad
1106 actor here.

1107 Mr. Yates. ' 'Eneu Island does rate lower than Bikini.
1108 Cistern water on both islands is acceptable for drinking.

1109 Some well water acceptable, other wells unacceptable for **DOE ARCHIVES**
1110 drinking.' ' This is still 1975.

1111 In 1976 you have a survey and then you have to be
1112 published. Is it still to be published or was it published,

1113 the survey?

1114 Mr. Deal. I will have to check to see whether the report
1115 is out on that.

1116 Mr. Yates. Then in September 1976 yu have another survey.

1117 Mr. Deal. Yes, sir.

1118 Mr. Yates. Then the report is to be published again. Who
1119 knows what went on there?

1120 Mr. Deal. We have seen information in drafts of the data?

1121 Mr. Yates. You have?

1122 Mr. Deal. But we just have not filed a report.

1123 Mr. Yates. You have not published it.

1124 Then in April: "Site visits by Brookhaven National
1125 Laboratory to plan installation of windmill-powered air
1126 sampling stations Bikini Atoll, one of four sites for long-
1127 term air sampling."

1128 That is just an air sampling, is it not?

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1129 Mr. Deal. Yes, sir.

1130 Mr. Yates. All right, that does not tell us anything.

1131 In October 1977 you have the long-term air sampling but

1132 you do not have any of the other tests there, do you? You
1133 have urine tests here in 1970, 1971, 1972, and then in vivo
1134 counting of VS 137 of Bikini residents in 1974. What do
1135 those tell us, Mr. Deal, anything?

1136 Mr. Deal. You are looking at page 1175?

1137 Mr. Yates. 1173 at the bottom there, analyzed for
1138 strontium and plutonium and cesium. It does not tell us
1139 what happened. It shows a factor of 4 increase over 1970.
1140 Strontium is an increase of a factor of 2 in 1972 over 1970.
1141 You should have been alarmed a little bit then, should you
1142 not?

1143 Mr. Deal. We saw the activity rising.

1144 Mr. Yates. But this is six years ago?

1145 Mr. Deal. Yes. We saw the activity begin to rise.

1146 Mr. Evans. Will the chairman yield for a question there?

1147 Mr. Yates. Yes, Mr. Evans.

1148 Mr. Evans. Are these measurements of soil and plant life
1149 or measurements in human beings?

1150 Mr. Deal. These are measurements in human beings.

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1151 Mr. Yates. They are looking at the urine of people. In
1152 1973 they find that cesium 137 is higher than 1970 by a
1153 factor of 10, and strontium 90 increased by a factor of 4.
1154 Still nothing is done, is it?

1155 In April 1974, first in vivo counting; that is of the
1156 people themselves, right?

1157 Mr. Deal. Yes, sir.

1158 Mr. Yates. Of cesium 137 in Bikini residents, CS 137
1159 urine values about the same as 1973. Strontium 90 levels
1160 down near 1970 values. Plutonium 239 higher than 1970, one
1161 by a factor of about 5.

1162 Then 1975 and 1976, you go through this again, and then
1163 1977 higher, higher, higher. Then the first time that any
1164 action is taken to tell the people of Bikini that something
1165 is wrong is a couple of months ago, right? And the tests
1166 are taken and nothing is done, correct, Mr. Deal? You were
1167 not talking to your friend in Interior?

1168 Mr. Deal. Yes, sir, we were.

1169 Mr. Yates. Then what happened?

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1170 Mr. Deal. Oh, yes, we have been making this information
1171 available.

1172 Mr. Yates. What happens then as a result of all these
1173 things? You are making them available. Interior did not do
1174 anything, did they? What about it, Mrs. Van Cleve?

1175 Mrs. Van Cleve. We have I think been advised as the
1176 testing has progressed of the results, and at least as early
1177 as last fall the High Commissioner, and I think this is
1178 consistent with what Mr. DeBrum has said, was aware of the
1179 unsafe quality of all of the elements we have discussed;
1180 water, coconuts, vegetables.

1181 Last November he very seriously wanted then to move the
1182 people of Bikini land off. It was the hope, however, of the
1183 Department of Energy investigators that the tests to be
1184 conducted in April would not show an increase in cesium.

1185 The quantity of food brought in from the outside was
1186 increased during that period, so that they did not need to
1187 rely upon local foods, and because they wanted to remain,
1188 the hope was that the test results this spring would permit

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1189 that result.

1190 As you know from our testimony in April and May, the test
1191 results did not support that consequence; notwithstanding
1192 the feeding program from the outside, the cesium level
1193 continued to increase. That is why we concluded that they
1194 must be moved.

1195 Mr. Yates. We turn to the bottom of 1174 and Mr. Yates is
1196 asking Mr. Deal some questions, and Mr. deYoung answered a
1197 few.

1198 'Mr. Yates. Until 1975, you found nothing. What did
1199 your tests show?

1200 'Mr. Deal. That is when we began to see the rise in
1201 cesium,' in 1975.

1202 Mr. Deal. That was in the people.

1203 Mr. Yates. That was in the people, right. You saw the
1204 rise of cesium. Did you become alarmed in 1975?

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1205 Mr. Deal. They were still within the Federal standards.

1206 Mr. Yates. They are still within the Federal standards?

1207 Mr. Deal. That is right.

1208 Mr. Yates. Then you have charts on page 1175, 1176, 1177.

1209 Now what do those charts show, Mr. Deal? I must say that I
1210 cannot interpret those.

1211 Mr. Deal. They show you the cesium, the average, the
1212 number of people counted and the average level of cesium
1213 that we are seeing in the people.

1214 Mr. Yates. Now what is the comparison between----

1215 Mr. Deal. The Federal standard would be three microcuries
1216 of cesium.

1217 Mr. Yates. And what does the test show?

1218 Mr. Deal. All of these are below that, I believe. I do
1219 not see any that are higher.

1220 Mr. Yates. What about 1977?

1221 Mr. Deal. Yes, I think they are below that too. There
1222 may have been one person.

1223 Mr. Yates. Rongelap seems above it, does it not?

1224 Mr. Deal. No, I do not think so.

1225 Mr. Yates. What do those figures mean in Rongelap? You
1226 have 34.296, number of people 34.296, and then body weight

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1227 504. What does all that mean?

1228 Mr. McGraw. The Rongolap column No. 34 is the number of

1229 people in the sample. The .296² is in microcuries, the body

1230 burden of cesium which can be compared with 3.0. It is ~~less~~ ^{the Federal standard of} ~~less~~ ^{about}

1231 ~~than~~ a factor of 10 below the criteria.

1232 Mr. Yates. If it were above 3, would that be significant?

1233 Mr. McGraw. If it were above 3 we would have difficulty

1234 meeting the standards, sir.

1235 Mr. Yates. You are 296?

1236 Mr. McGraw. ²⁹⁶ ~~295~~ compared to ^{3.0} ~~3.0~~, so it is like a tenth

1237 of the value.

1238 Mr. Yates. 296?

1239 Mr. McGraw. It is roughly .3.

1240 Mr. Yates. Yes.

1241 Mr. McGraw. And the value is 3.

1242 Mr. Yates. Okay.

1243 Mr. McGraw. For Bikini 22 people ¹ ~~of~~ the sample. The

1244 value is 1.3, quite a bit higher than Rongelap, but still a

1245 factor of like a third of the standard that we would

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1246 evaluate with. This is of course 1977 numbers.

1247 As I recall the 1974 data, the value for Bikini was like

1248 .1. On the previous page the value for Bikini was .128, so

1249 between 1974 and 1977 the values went up by a factor of 10.

1250 Mr. Yates. If all this is true, sir, why four years ago

1251 in 1974 were you advising Mr. DeBrum to tell the Bikinians

1252 not to drink the well water and why were you then--you were

1253 bringing food in four years ago because there is no food on

1254 Bikini?

1255 Mr. DeBrum. That is right, sir.

1256 Mr. Yates. Contaminated or noncontaminated, right?

1257 Mr. DeBrum. That is correct, sir.

1258 Mr. Yates. Then the food came in two years ago, right?

1259 When did the coconut trees start maturing?

1260 Mr. DeBrum. About two years ago.

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1261 Mr. Yates. Two years ago. Were you allowing them to eat

1262 the food that was growing on Bikini two years ago, Mr.

1263 McGraw?

1264 Mr. McGraw. Were we allowing them two years ago?

1265 Mr. Yates. Yes.

1266 Mr. McGraw. When was the recommendation made? Did you
1267 say four years ago?

1268 Mr. DeBrum. Yes, approximately about four years ago.

1269 Mr. Yates. You have coconuts growing on Bikini two years
1270 ago. You have pandanus and papayas and breadfruit growing
1271 two years ago. Four years ago you told them not to drink
1272 the water, there was no food. Two years ago had you told
1273 them not to eat the food? Were you told not to eat the food
1274 two years ago?

1275 Mr. DeBrum. That was the time, four years ago, Mr.
1276 Chairman, that people were told that they were examining
1277 their food and they had suspected----

1278 Mr. Yates. And they were told not to eat it?

1279 Mr. DeBrum. They were discouraged from eating. DOE ARCHIVE

1280 Mr. Yates. Were they told not to eat the food all through
1281 this period? They were told not to drink from the wells all
1282 during this period?

1283 Mr. DeBrum. Yes.

1284 Mr. Yates. Were they told not to eat the food all during

1285 this period too?

1286 Mr. DeBrum. Until further analysis convinced them

1287 otherwise.

1288 Mr. Yates. The analysis never convinced them?

1289 Mr. DeBrum. Never convinced them.

1290 Mr. Yates. So they were told all during this period not

1291 to eat the food?

1292 Mr. DeBrum. Yes.

1293 Mr. Yates. And in the meantime you were bringing them

1294 food?

1295 Mr. DeBrum. Yes, sir.

1296 Mr. Yates. Every month except where you lapsed?

1297 Mr. DeBrum. Yes, sir.

1298 Mr. Yates. And there was adequate food for all of them?

1299 Mr. DeBrum. Yes.

1300 Mr. Yates. You are sure of that?

1301 Mr. DeBrum. To the best of my knowledge sir.

1302 Mr. Yates. Is that true, Mr. Weisgall?

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1303 Mr. Weisgall. That is not quite the understanding of the
1304 Bikinians.

1305 As Mr. Leviticus has explained to me, the people living on
1306 Bikini would eat the food growing on the island even though
1307 they had been advised that it was questionable, when there
1308 simply was not enough food. The boats were not coming on as
1309 regular basis as was hoped for, and according to Mr.
1310 Leviticus, when a family would run out of food it would eat
1311 food growing on Bikini, be it coconuts, pandanus, or
1312 breadfruit.

1313 Mr. Yates. Let's go back to Mr. Juda's statement.

1314 Mr. Note. The second request we convey to you today, Mr.
1315 Chairman, is that your subcommittee closely monitor the
1316 upcoming radiological and foodstuff tests to be conductd at
1317 Bikini Atoll. The people living on Bikini Island
1318 desperately wish to remain on Bikini Atoll, and they are
1319 hopeful that tests on Eneu Island will show it to be safe.
1320 They understand that the recent test results are
1321 preliminary, and they hope that resettlement on Eneu will

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1322 prove to be possible.

1323 Mr. Chairman, we cannot describe the sorrow felt by our
1324 people as they learned, with bitter disaappointment, that
1325 they must once again leave Bikini. Despite the
1326 contradictory statements of the U.S. Government over the
1327 last ten years, the people of Bikini have begun to
1328 understand the situation they face. They have told us that
1329 if the upcoming tests show that our people will not be able
1330 to live on Bikini or Eneu for the next 40 or 50 years, the
1331 people living in Bikini are prepared to relocate to Kili and
1332 Jaluit.

1333 A move to Kili, however, and the establishment of Kili as a
1334 permanent home for the next two generations of Bikinians
1335 cannot come without help from the U.S. Government to develop
1336 Kili as a functional, livable community.

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1337 For almost 30 years we have lived on Kili, thinking each
1338 year that we will move to Bikini the next year. As we face
1339 the possibility of 50 more years on Kili, it is clear that
1340 we must think and plan in longer terms.

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1341 As you know, Kili is an island with no reef and no lagoon,
1342 and access to the island is very difficult for most of the
1343 year. Faced with these conditions, our people have not
1344 processed copra in large quantities because boats visit this
1345 island rarely. Months frequently go by without a visit from
1346 passing ships, and our only communication with the rest of
1347 the world is by radio.

1348 The construction of a long pier on Kili would enable boats
1349 to dock at Kili, encourage our people to process more copra,
1350 and provide a much-needed tie to the rest of the Marshall
1351 Islands. Moreover, a pier would enable our people to regain
1352 their fishing skills and make us less dependent on shipments
1353 of surplus government food.

1354 Other projects must be undertaken if Kili is to become our
1355 permanent home for the next two generations. A short 2,000-
1356 root runway would help to break the isolation we feel from
1357 the rest of the world, and it would insure immediate aid in
1358 case of emergency. The few roads on Kili should be improved
1359 to enable us to transport copra more easily from one end of

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1360 the island to another. A medical dispensary should be
1361 built, along with a new school, and our makeshift temporary
1362 homes, our community hall and our warehouse desperately need
1363 renovation.

1364 At the same time, you must realize that Kili is already
1365 overcrowded, and the return of so many people from Bikini
1366 will increase the Kili population by at least 20 percent.
1367 We therefore urge the High Commissioner to explore the
1368 possibility of relocating some of our people on Jabwor
1369 Island on Jaluit Atoll.

1370 Life on Kili is difficult, but with these improvements we
1371 are confident that our people can rally from these sorrowful
1372 days and make Kili a real home, with decent communication to
1373 the outside world and some kind of economic life.

1374 In addition, we feel that our people, especially the
1375 elderly ones, are entitled to compensation from the U.S. for
1376 the removal of our people from Bikini and for the virtual
1377 destruction of Bikini and other islands. Medical care will
1378 also be needed, especially for those people who have been

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1379 living on Bikini, and their future children.

1380 It is premature to discuss these questions at this time,

1381 however, since there has not been a final determination

1382 concerning the safety of Eneu. If, however, the upcoming

1383 tests show that the entire atoll is unsafe, we ask neither

1384 for your sympathy nor for your shared moral concern. We

1385 simply want, and need your help to resettle our community and

1386 to let us try to become once again the people we were before

1387 the arrival of the atom and hydrogen bombs.

1388 Mr. Yates. Mr. Weisgall, would you ask Mr. Leviticus to

1389 describe the kind of procedures--I don't think it is the kind

1390 of procedures.

1391 Can you ask him to describe the providing of the food to

1392 the Bikinians, as to whether it was adequate, as to whether

1393 it was edible, as to whether it came in on time?

1394 Mr. Weisgall. Yes, sir.

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1395 Mr. Yates. I am talking about the gentleman who lived on

1396 Bikini. That is Mr. Leviticus, isn't it?

1397 Mr. Weisgall. That is correct, Mr. Chairman. I will ask

1398 him.

1399 Mr. Chairman, Mr. Leviticus states that when the field
1400 trip ships arrived, they did bring sufficient amount of food
1401 for the time being. They apparently did not arrive on
1402 anything approaching a monthly basis, and that caused the
1403 Bikinians to go into the interior parts of the island and
1404 eat the breadfruit, the coconuts, the pandanus growing
1405 there. These excursions to the interior of the island would
1406 occur in the time period well after the arrival of a ship,
1407 when no new ship was in sight. That accounts for the
1408 Bikinians more or less disobeying what they had been told by
1409 DOE officials, but it was simply the function of not having
1410 enough food. The boats arrived, as I said, not on a monthly
1411 basis.

1412 Mr. Yates. How often were they off schedule, Mr.
1413 Weisgall?

1414 Mr. Weisgall. Mr. Chairman, Mr. Leviticus states that
1415 sometimes as much as 3 months would go by without the
1416 arrival of the field trip ship.

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1417 Mr. Yates. Mrs. Van Cleve, would your office have records
1418 of when the ships would come to Bikini?

1419 Mrs. Van Cleve. Mine would not, but they would be
1420 available with the Trust Territory Government in Saipan or
1421 in the districts or both.

1422 Mr. Yates. Would you ask--well, the committee requests
1423 that they be made available going back to 1972, which is
1424 when the group first went there.

1425 Mrs. Van Cleve. We will be glad to do that.

1426 Mr. Yates. That will show the schedule. It will also
1427 show the amounts and kind of food that were supplied.

1428 Mr. Weisgall. I simply asked Mr. Leviticus again if he
1429 was sure of that, and he said frequently 2 and 3 months
1430 would pass between arrivals of ships.

1431 Mr. Yates. Has the schedule been any better of late,
1432 recently, rather than earlier, or is there no distinction?

1433 Mr. Weisgall. Mr. Leviticus reports that the schedule has
1434 improved in recent months.

1435 Mr. Yates. Is there a monthly schedule that is being

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1436 adhered to?

1437 Mr. Weisgall. Mr. Leviticus says in the last 6 months
1438 there have been two ships bringing food, and he reports that
1439 as being a favorable increase in the frequency of visits.

1440 Mr. Yates. I don't understand that answer. I am told, we
1441 are told by the witness, there is a monthly ship. Mr.
1442 Leviticus says in the last 6 months there have been two
1443 ships. There is something that isn't subject to
1444 reconciliation.

1445 Mr. Weisgall. A point of clarification, Mr. Chairman.
1446 Mr. Leviticus reported that in the last 6 months there had
1447 been three visits of ships, thus cutting down the time to
1448 once every 2 months, and he reported that this did
1449 constitute an improvement over past years.

1450 Mr. Yates. Then it is once every 2 months. It is not
1451 once every month; is that correct?

1452 Mr. Weisgall. He reports that as the norm, approximately
1453 once every 2 months, that the monthly schedule is not
1454 adhered to with any frequency at all. If you want, I will

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1455 ask him if in fact ships have been arriving on a monthly
1456 basis at any time. I don't know the answer to that.

1457 Mr. Yates. I would like you to ask him that. Have there
1458 been any times when ships came twice a month to offset that?

1459 Mr. Weisgall. Mr. Leviticus does not remember any time
1460 when the ships have come on a monthly basis.

1461 Mr. Yates. And he has lived there how long?

1462 Mr. Weisgall. Four years, I believe; is that correct?

1463 Four years.

1464 Mr. Yates. What is the nature of the food that he
1465 receives, what kind of food, and how do they distribute it?

1466 Is this a ration coupon system or how is it distributed?

1467 Mr. Weisgall. I once visited Kili, Mr. Chairman. I
1468 believe the distribution is somewhat similar. It really is
1469 USDA surplus food.

1470 Mr. Yates. How is it distributed?

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1471 Mr. Weisgall. Answering your first question, the type of
1472 food is rice, canned meats, dry milk, and the food would be
1473 distributed to the heads of the different families living on

1474 Bikini, who in turn would distribute it among the families.

1475 This is similar to the system on Kili.

1476 Mr. Yates. There are 139 people on Bikini now? How many
1477 families?

1478 Mr. Weisgall. Mr. Leviticus says the food is distributed
1479 to approximately 12 individuals who constitute the head of
1480 the families, who in turn distribute it to the family
1481 members.

1482 Mr. Yates. Is this a satisfactory system?

1483 Mr. Weisgall. Yes, it is Mr. Chairman.

1484 Mr. Yates. All right.

1485 If the boats, if the ships were to deliver the food on a
1486 monthly basis, and the people could thereby live on Bikini,
1487 is this the result that they would favor?

1488 Mr. Weisgall. Mr. Leviticus says that if the boats
1489 arrived on a monthly basis with sufficient amounts of food,
1490 the people would very much like to stay on Bikini Island.

1491 Mr. Yates. Even though they can't eat the food that is
1492 grown there?

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1493 Mr. Weisgall. That is correct.

1494 I can only add what others have said before, which is that
1495 it is simply very difficult to prevent people, especially
1496 younger children, from eating food. You don't have to climb
1497 a tree to eat a coconut. Coconuts fall to the ground when
1498 they are ripe and it is extremely difficult to prevent
1499 little children and others from consuming food that is
1500 growing naturally.

1501 Mr. Yates. How does a little child open a coconut?

1502 Mr. Weisgall. They have their ways.

1503 I should also add the same problem applies to the water
1504 situation. Back in 1975 or 1976 the Livermore tests that I
1505 read said in layman's terms, I am certainly not a
1506 scientist, that six of the seven wells on Bikini Island
1507 were not safe, and that the seventh was adequate. And again
1508 my thinking there was what do you do if the water situation
1509 does get low?

1510 It is very difficult for a person to restrain him or
1511 herself from eating food or drinking water when there is not

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1512 enough food or water when there is other food and water
1513 readily available on the island. That is the problem that
1514 is faced.

1515 There has been constant division among the Bikinians
1516 themselves on this question. There are those who did not
1517 want to return to Bikini because they were fearful of the
1518 conditions on Bikini, and there are others, such as Mr.
1519 Leviticus, who is one of the older members of the community,
1520 who have wanted to return to Bikini and have simply not been
1521 as concerned about the health risks, and that division still
1522 exists today. The older people are extremely reluctant to
1523 leave, and there are older people now on Kili who
1524 desperately want to go back to Bikini.

1525 Mr. Yates. I think it is time for Mr. Winkel's statement,
1526 Mrs. Van Cleve. I think Mr. Winkel's statement will be put
1527 in the record. I leafed through it before. Apparently
1528 there is no consensus by the Bikinians as to what should be
1529 done. Some want to stay on Bikini. Some will stay on Kili.
1530 I think Mr. Winkel points out in his statement, he says

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1531 "... preferences of the people are as follows: (1) stay on
1532 Bikini Island until further information is available about
1533 Eneu food and its levels of radioactivity.'" That is their
1534 first choice.

1535 What is likely to change the levels of radioactivity at
1536 Eneu; anything?

1537 Mrs. Van Cleve. There are further experiments to be
1538 conducted.

1539 Mr. Yates. Experiments have been going on right along?

1540 Mrs. Van Cleve. That is correct, but the Department of
1541 Energy tells us that it is unlikely that they will result in
1542 any modification of the report that we made to you in May,
1543 which was that Eneu is not safe. However, in order to
1544 satisfy the Bikinians, we do want to have conducted further
1545 experiments because the experiments to date have been rather
1546 slight. DOE ARCHIVES

1547 Mr. Yates. They also say that another possibility is to
1548 "Move to 'public domain' land in the State of Hawaii or in
1549 mainland United States.'" 86

1550 What is 'public domain' land?

1551 Mrs. Van Cleve. I believe I can tell you what those terms

1552 mean for this purpose. The High Commissioner goes on to say

1553 that the Bikinians understand that there is land in the U.S.

1554 that does not belong to other individuals, and thus if they

1555 were to live on such public land, they would not be

1556 impinging upon the rights of other private parties.

1557 The High Commissioner correctly says that this option

1558 would require a great deal of careful exploration and does

1559 not hold out much probability of success, but I think we are

1560 talking about BLM public domain lands.

1561 Mr. Yates. Again if they don't like Kili, because it has

1562 no reef and no fishing, they would have to have a special

1563 kind of a public domain land, I would think.

1564 Mrs. Van Cleve. There are real problems, of which that is

1565 one.

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1566 Mr. Yates. Mr. Winkel continues 'If preferences numbers

1567 one and two are not possible, the various spokesmen stated

1568 they had no further preferences and that they would leave

1569 the choice of a location to'' Mr. Winkel.

1570 The same preferences were expressed at the Kili meeting.

1571 One group wanted to stay.

1572 Mr. Winkel concludes it is quite certain it is composed of

1573 the majority of the people. He says he told the people that

1574 preference No. 1, which was to stay on Bikini until they

1575 could find out about Eneu, appeared to be logical and

1576 justified, and he would recommend it.

1577 Mrs. Van Cleve. He did so, Mr. Chairman, but we then

1578 learned that it would be at least December or January before

1579 we would know the results of the further Eneu tests, and we

1580 did not think that the people should remain on Bikini Island

1581 that long.

1582 Mr. Yates. You feel the risks are unacceptable?

1583 Mrs. Van Cleve. That is correct.

1584 Mr. Yates. On both Bikini and Eneu?

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1585 Mrs. Van Cleve. That is right.

1586 Mr. Yates. Then he has asked Energy to complete the tests

1587 on Eneu food stuffs as rapidly as possible.

88

1588 How long will that take, Mr. Deal?

1589 Mr. Deal. I think we told you in April, Mr. Chairman, we
1590 would have a full report and a study done in January. We
1591 are still shooting for that period.

1592 Mr. Yates. You can't speed that up?

1593 Mr. Deal. There will be some tests. We will have some
1594 additional information in August, but we will have a much
1595 more definitive information in January.

1596 Mr. Yates. Then Mr. Winkel continues, of the four
1597 proposed relocation sites, Kili, Jabwor Island in Jaluit
1598 Atoll, and Majuro and Ailinglaplap are considered to be the
1599 least acceptable.

1600 Last time Kwajalein was mentioned as a possibility. I
1601 don't see that mentioned here. Is that not a possibility?

1602 Mrs. Van Cleve. I think Kwajalein was mentioned as a
1603 possibility if we needed an immediate relocation site. The
1604 suggestion was made by representatives of the Bikinians that
1605 they could be moved instantly into some of the very
1606 substantial facilities there.

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1607 Our conclusion was that we did not require an instant
1608 relocation site, that the 75-90 day interval was
1609 sufficiently acceptable, so Kwajalein I believe would not be
1610 useful as a longer term relocation site. It is already
1611 crowded, with a lot of other activities.

1612 Mr. Yates. Then Mr. Winkel concludes "It is my decision
1613 that the people of Bikini Island should be relocated to Kili
1614 Island at this time. Kili Island's deficiencies are
1615 primarily physical in nature and can be overcome in time.
1616 The major problems of Jabwor Island involve serious
1617 questions of relationships between the peoples, which are
1618 more difficult to deal with and less susceptible to
1619 resolution. The administration's legislative proposal for
1620 Bikini rehabilitation, and the legislation just recently
1621 approved by the House of Representatives provide a funding
1622 base for starting the necessary work on Kili Island. The
1623 best balanced program will be to unite the people on Kili
1624 and to make improvements in physical facilities," and so
1625 forth.

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1626 What about the Bikinians, Mr. Weisgall?

1627 Mr. Weisgall. What is their wish, Mr. Chairman?

1628 Mr. Yates. Do they want to go back to Kili?

1629 Mr. Weisgall. The Bikinians after these meetings were

1630 held on Kili, as the written statement says, they have begun

1631 to become aware of the medical risks involved and are

1632 prepared to move, if it is the judgment of, I am not exactly

1633 sure who, that Bikini and Eneu are not safe. They are

1634 prepared to make that move.

1635 Mr. Yates. They would make that move even though every

1636 precaution would be taken to prevent them from eating and

1637 drinking the contaminated material?

1638 Mr. Weisgall. I can't vouch for that.

1639 Let me pose that question once again.

1640 Mr. Yates. Okay.

1641 What is the condition of the fish; edible?

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1642 Mr. Deal. Yes, it is edible. The radioactivity is very

1643 low. It is edible.

1644 Mr. Yates. Mr. McKay wants to know where the district

1645 center is.

1646 Mr. McKay. On your map here.

1647 Mrs. Van Cleve. The district center is Majuro, which is
1648 down, sort of toward the right center.

1649 Mr. McKay. Okay, I see it.

1650 Mr. Yates. Let me ask a question of the State Department.

1651 Mr. Weisgall. We will have a response.

1652 Mr. Yates. You can talk for a while.

1653 During the last hearing, it occurred to me that the United
1654 States is a trustee for the Trust Territory.

1655 Mr. Helman. That is correct.

1656 Mr. Yates. May a trustee remove people from an atoll?

1657 Mr. Helman. It depends upon the terms of the trusteeship
1658 agreement, Mr. Chairman. The trusteeship agreement we have
1659 with the United Nations requires us to have a primary
1660 concern with the health, welfare, and so on, of the people
1661 in the Trust Territory. It comes down in the end, I
1662 believe, to not only what the desires of the people
1663 concerned are, but, objectively, what might be best for them

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1664 under the circumstances? Depending upon these
1665 circumstances, I would see nothing inconsistent with our
1666 obligations as a trustee to remove them from the atoll, if
1667 that in fact is what is required in order to preserve their
1668 health.

1669 Mr. Yates. Now, what happened in 1946? What right did we
1670 have to remove them in 1946?

1671 Mr. Helman. I am not sure exactly what the circumstances----

1672

1673 Mr. Yates. We removed them from Bikini Atoll in 1946 in
1674 order to conduct a series of nuclear experiments.

1675 Mr. Helman. That is correct.

1676 Mr. Yates. Is that in keeping with our trust
1677 responsibility?

1678 Mr. Helman. We did not have a trust agreement at that
1679 time. The trust agreement was not signed, I believe, until
1680 1947.

1681 Mr. Yates. So, therefore, we had no responsibility about
1682 keeping them on their island.

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1683 Mr. Helman. We had certainly responsibility towards them
1684 as the sovereign, as the power in the area, and I believe
1685 that there were discussions with the people of the area.
1686 Subsequently, when the United States signed the trusteeship
1687 agreement with the United Nations----

1688 Mr. Yates. In 1948?

1689 Mrs. Van Cleve. 1947.

1690 Mr. Helman. 1947, I believe, sir.

1691 Mr. Yates. All right, 1947.

1692 Mr. Helman. It was designated a strategic trust, and the
1693 terms of the trust agreement were agreed upon between the
1694 United States and the United Nations, the United Nations
1695 Security Council in this case.

1696 Mr. Yates. Under the terms of that agreement, the United
1697 States had the power to remove people from their homelands
1698 in order to conduct tests, strategic nuclear tests?

1699 Mr. Helman. It doesn't speak of strategic nuclear tests
1700 or removal of people from their homeland in strategic trust.
1701 However, the trust agreement was arrived at following the

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1702 first series of nuclear tests, so the events which occurred
1703 in 1946 were well known to the Security Council in 1947.
1704 The trust agreement itself, as I say, does provide for the
1705 United States establishing various military installations
1706 there. It does also provide that the U.S. has to be
1707 concerned for the welfare, the health, the education, the
1708 development, and rights of the people of the area.

1709 Mr. Yates. Are they entitled to compensation?

1710 Mr. Helman. Compensation, I suppose, would be one way of
1711 dealing with the obligations we have. It is a matter of the
1712 particular circumstances with which we are dealing.

1713 Mr. Yates. As trustee, may we place the people of Bikini
1714 on an island that is the home of other people?

1715 Mr. Helman. It is certainly not excluded. Again it
1716 depends upon the circumstances we are dealing with, what is
1717 best, what is required to meet our obligations to the people
1718 of Bikini. We have to be concerned----

1719 Mr. Yates. You also have to meet your obligations----

1720 Mr. Helman. Towards the other people as well.

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1721 Mr. Yates. That is correct.

1722 Mr. Helman. That is correct.

1723 Mr. Yates. So it has to require the consent of both
1724 peoples.

1725 Mr. Helman. Certainly consent would be a part of it. The
1726 trust agreement itself does not deal explicitly with the
1727 kind of situation we are concerned with today.

1728 Mr. Yates. When we talk of another place for the people
1729 of Bikini to live, as, for example, Majuro, Kwajalein or
1730 Jaluit, is the consent of the people who now live there
1731 required?

1732 Mr. Helman. Consent is one way of dealing with the issue.
1733 Consent is not required, as I recall, under the trust
1734 agreement.

1735 Mr. Yates. In 1956 there was an agreement between the
1736 Government of the Trust Territory of the Pacific Islands.

1737 Is that the same as the United States?

1738 Mrs. Van Cleve. It is a subdivision in effect.

1739 Mr. Yates. But it is still the United States.

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1740 Mrs. Van Cleve. Yes.

1741 Mr. Yates. And the people of who, the people of Bikini?

1742 ''Agreement in Principle Regarding the Use of Bikini

1743 Atoll,'' dated November 22, 1956.

1744 ''Whereas, in order for the Trust Territory of the Pacific

1745 Islands to play its part in the maintenance of international

1746 peace and security it became necessary for the United States

1747 of America, the administering authority for the said Trust

1748 Territory, to occupy and use, with the consent of the

1749 inhabitants, all of the atoll of Bikini located in the

1750 Marshall Islands, between 11 degrees 29 minutes North

1751 latitude to 11 degrees 43 minutes North latitude, and 165

1752 degrees 11 minutes East longitude to 165 degrees 34 minutes

1753 East longitude, thus depriving the owners of the use of the

1754 said atoll;

1755 ''Whereas, an assembled meeting''-----

1756 Incidentally, is this the agreement that is still

1757 operative?

1758 Mrs. Van Cleve. Yes.

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1759 Mr. Helman. I think so.

1760 Mrs. Van Cleve. Yes.

1761 Mr. Yates. 'Whereas, an assembled meeting was held on

1762 Kili Island on November 9, 1956 with the majority of the

1763 people who possess rights in Bikini Atoll to discuss a

1764 settlement for the past and future use of Bikini Atoll, and

1765 'Whereas, agreement was reached at said meeting with no

1766 one present dissenting,

1767 'It is hereby agreed as follows:

1768 '1. The Government of the Trust Territory of the Pacific

1769 Islands will grant and convey to all of the people who

1770 possess land rights in Bikini Atoll, that is the commoners,

1771 according to the accepted Marshallese custom, full use

1772 rights in the following islands, islets and land parcels

1773 from the public domain of the said Trust Territory:'--and

1774 then they talk about 'Kili, also known as Hunter's Island,

1775 located at 5 degrees 38 minutes 45 seconds North latitude

1776 and 169 degrees 7 minutes East longitude;

1777 'Jebet (Devet) located on the eastern side of the Jaluit

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1778 Atoll at 6 degrees 7 minutes 46 seconds North latitude and

1779 169 degrees 33 minutes 43 seconds East longitude;

1780 ''Jar (Djar) located on the eastern side of Jaluit Atoll

1781 at 6 degrees 6 minutes 50 seconds North latitude and 169

1782 degrees 35 minutes 10 seconds East longitude;

1783 ''and the land area on the southern end of Jebwar Island

1784 located on the eastern side of Jaluit Atoll known as

1785 Lojokar. All government lands south of Lojokar wato to the

1786 end of Lullol wato.

1787 ''All these lands may be divided among the former Bikini

1788 people as they shall mutually agree, and the use rights to

1789 the land, lagoon, or reefs of the above mentioned lands,

1790 together with all buildings and trees thereon shall be held

1791 by them, and their heirs and assigns in accordance with the

1792 accepted Marshallese customs.''

1793 What right does the United States have to give the

1794 Bikinian people those lands?

1795 Go ahead, Mrs. Van Cleve, or the State Department. I bow

1796 to you and you bow to him.

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1797 Mrs. Van Cleve. It is my understanding that the United
1798 States inherited the same rights that the Japanese
1799 Government had had when it had a mandate from the League of
1800 Nations and that Kili having been public land of Japan
1801 became public land of the U.S. Trust Territory when it
1802 replaced Japan.

1803 Mr. Yates. Does that mean these lands were held by the
1804 U.S. outright and not as trustee.

1805 Mrs. Van Cleve. The United States has never claimed title
1806 to land in the Trust Territory and that is why it was the
1807 government in the Trust Territory rather than the U.S. as
1808 such dealing with Kili.

1809 Mr. Yates. Then the Trust Territories did not own those
1810 lands, did they?

1811 Mrs. Van Cleve. They were public domain lands of the
1812 Trust Territory.

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1813 Mr. Yates. Of the Trust, and it was as the trustee that
1814 it was held, right?

1815 Mrs. Van Cleve. Yes.

1816 Mr. Yates. And how can it as a trustee give those lands
1817 to the people of Bikini if it holds it as a trustee?

1818 Mrs. Van Cleve. They are comparable to public lands of
1819 the United States, with which the United States--I am
1820 attempting----

1821 Mr. Yates. It owns the public lands. It is not a trustee.

1822 Mrs. Van Cleve. I was going to try an analogy but let's
1823 scrub it because that will get us into trouble.

1824 Mr. Yates. Yes.

1825 Mrs. Van Cleve. There are no individual claims to the
1826 land of Kili. The Island of Kili was held by the Government
1827 of Japan when it held the mandate under the League. All of
1828 the public lands of Japan under the mandate became property
1829 of the Trust Territory Government, not the United States of
1830 America but the Government of the Trust Territory.

1831 Mr. Yates. As trustee?

1832 Mrs. Van Cleve. Held in trust for the people.

1833 Mr. Yates. As trustee?

1834 Mrs. Van Cleve. Of the Trust Territory.

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1835 Mr. Yates. As trustee?

1836 Mrs. Van Cleve. That is correct, and they could deal with
1837 those lands in the manner that the government deals with its
1838 public land generally.

1839 Mr. Yates. But the government does not hold its public
1840 land generally. The government holds it as a sovereign. The
1841 lands in the Trust Territory were held by the Trust
1842 Territory Government as a trustee. How then can that
1843 government as a trustee give lands away. Can a trustee give
1844 its properties away?

1845 Mrs. Van Cleve. Well, I think it can, yes. I know of no
1846 reason to foreclose the Government of the Trust Territory in
1847 disposing of lands that are its property.

1848 Mr. Yates. Do you have an opinion from legal counsel as
1849 to that effect?

1850 Mrs. Van Cleve. Somebody may here. I do not.

1851 Mr. Yates. Mr. Krulitz, do you remember I addressed
1852 myself to the problem?

1853 Mr. Krulitz. Yes, sir.

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1854 Mr. Yates. Have you addressed yourself to it too?

1855 Mr. Krulitz. Yes, sir.

1856 Mr. Yates. Why do you not take Mr. Dicks' seat down at
1857 the end there?

1858 Mr. Krulitz. I also have with me Mr. Brewster Chapman,
1859 Assistant Solicitor for the Bureau of Trustee Affairs. He
1860 will try to keep me out of trouble.

1861 Mrs. Van Cleve is right in her description of the legal
1862 status of the lands. The purpose of the trust again as was
1863 pointed out, it was a strategic agreement that anticipated
1864 the potential use of the Trust properties to "insure the
1865 maintenance of international peace and security."

1866 In relocating the people of Bikini to Kili, there were no
1867 other competing claims or demands on Kili that were
1868 inconsistent with providing those lands to the people of
1869 Bikini, and to the extent that that transfer was in
1870 furtherance of the purpose of the Trust, I think it was
1871 probably a proper deal.

1872 Mr. Yates. How does that answer the question I asked?

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1873 The United States is the trustee.

1874 Mr. Krulitz. That is correct.

1875 Mr. Yates. Under a trust agreement from the United
1876 Nations.

1877 Mr. Krulitz. Yes, sir.

1878 Mr. Yates. It serves and acts as trustees. The United
1879 States as trustee is required to receive or obtain the
1880 approval of the United Nations to dispose of that land?

1881 Mr. Krulitz. The land has not been disposed of. It has
1882 been made temporarily available to the people of Bikini
1883 pending their return to Bikini Atoll.

1884 Mr. Yates. It is not permanent. Is there agreement
1885 required for a lease of the land or for a temporary use of
1886 the land?

1887 Mr. Krulitz. Agreement from?

1888 Mr. Yates. The United Nations.

1889 Mr. Krulitz. The United Nations? Does the State
1890 Department have an answer to that?

1891 Mr. Helman. Let me just say that these arrangements have

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1892 been made known to the Trusteeship Council of the United
1893 Nations, and as far as I am aware they have never been
1894 objected to.

1895 Mr. Yates. How have they been made known and when?

1896 Mr. Helman. I suspect in this case probably in 1956 or
1897 1957.

1898 Mr. Yates. Can you verify that?

1899 Mr. Helman. Sure.

1900 Mr. Yates. Verify it and let us know.

1901 If it is made known, is that the equivalent of receiving
1902 agreement from the United Nations?

1903 Mr. Helman. No, but these matters are discussed annually
1904 in the Trusteeship Council. We submit reports to the
1905 Trusteeship Council, and the Trusteeship Council to the
1906 Security Council on these matters.

1907 I might point out that we are asked under the trusteeship
1908 agreement in discharge our obligations to do such things as
1909 foster development of political institutions, promote
1910 economic advancement, assist in health, and so on. It seems

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1911 to me that the use of these lands for that purpose is
1912 perfectly consistent with our obligations as trustee.

1913 Mr. Yates. And we have not taken their lands away?

1914 Mr. Helman. Yes, sir.

1915 Mr. Yates. I would like to know what the actions of the
1916 United Nations was in that. If the United Nations agrees to
1917 it, does that validate the process?

1918 Mr. Helman. It certainly allows the process to continue
1919 if there are no objections to it. If no one says this is
1920 wrong or submits a resolution saying that you, the United
1921 States, as trustee have done wrong in this, then we are
1922 certainly entitled to proceed on the basis of the assumption
1923 that we are acting properly on this question.

1924 Mr. Yates. Do you want to say something?

1925 Mrs. Van Cleve. I wanted to say, Mr. Chairman, that the
1926 Government of the Trust Territory deals in land transactions
1927 constantly as any government does, and so far as I know we
1928 have never sought UN approval of any particular land
1929 transaction.

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1930 I think the record will show that there was no seeking of
1931 an approval here of the transfer of Kili just as there is no
1932 seeking of any other approvals.

1933 Mr. Yates. Then why are we trustee? In what sense are we
1934 a trustee?

1935 Mrs. Van Cleve. The United States is overseeing the
1936 Government of the Trust Territory, which is dealing as
1937 governments always do in a wide variety of kinds of
1938 property, including real property. It owns property on
1939 which schools sit. It owned Kili Island because it
1940 inherited all of the property of the Japanese Government.
1941 Similarly, the Japanese Government had inherited lands from
1942 the Germans. This is simply public land of the Trust
1943 Territory that the United States does not claim title to
1944 because we have always been very scrupulous about not acting
1945 as sovereign in the Trust Territory. We have acted as a
1946 trustee and overseer.

1947 Mr. Yates. A nation that conquers another nation which
1948 owns lands thereby obtains title to those lands.

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1949 Mrs. Van Cleve. That is the difference between the United
1950 States not owning title and the Trust Territory Government
1951 holding title. The Trust Territory Government does hold
1952 title.

1953 Mr. Yates. How does this differ from Israel taking the
1954 West Bank from Jordan?

1955 Mrs. Van Cleve. I do not like that analogy any better than
1956 you liked mine a while ago.

1957 Mr. Yates. At least in your case you withdrew it. I am
1958 not withdrawing mine.

1959 How is that different?

1960 Mrs. Van Cleve. I cannot pursue the Middle East at this
1961 point. I am sorry.

1962 Mr. Evans. Mr. Chairman, I think counsel would like to
1963 answer.

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1964 Mr. Chapman. I am Brewster Chapman, Assistant Solicitor
1965 for Trust Territories.

1966 I have listened to an awful lot of law trying to be
1967 established over the last 12 years, getting bent into shape.

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1968 It bothers me when I get into court.

1969 Mr. Yates. Pull up your chair.,

1970 Mr. Chapman. There is a doctrine in international law

1971 called the successor sovereign doctrine, which means that

1972 the successor sovereign in a change of government takes on

1973 all of the rights and liabilities, legitimate rights and

1974 liabilities of the predecessor sovereign. In this

1975 particular instance the predecessor sovereign was the

1976 Government of Japan.

1977 When the United States took over its responsibilities as

1978 administering authority under the trusteeship agreement, it

1979 then created by delegation to the President the authority in

1980 the President to establish a government to carry out our

1981 obligations. The President issued an executive order and

1982 transferred this responsibility to the Secretary of the

1983 Interior with authority in the Secretary to delegate that

1984 authority to such agencies or people as he deemed

1985 appropriate.

1986 The Secretary did this by creating a local government.

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1987 That is a Government of the Trust Territory for the Trust
1988 Territory, and hopefully as we move into political status,
1989 negotiations transferred by the Trust Territory people.
1990 That is a sovereign government. It has the power to sue and
1991 be sued.

1992 Mr. Yates. Which is the sovereign government?

1993 Mr. Chapman. The Trust Territory Government.

1994 Mr. Yates. The Government of the Trust Territory?

1995 Mr. Chapman. Has the power to sue and be sued. It has
1996 the power to contract in its own name. It has all the
1997 indicia of a semi-autonomous government, like a state.

1998 Mr. Yates. What is its relationship to the United
1999 Nations? I have the impression that it received its indicia
2000 of authority as a trustee by grant from the United Nations.

2001 Mr. Chapman. No. There is a problem here because we are
2002 dealing with something that is neither a fish nor a fowl in
2003 the sense that you can equate it to anything you have ever
2004 known before. We took over the Trust Territory Government,
2005 or the Trust Territory as administering authority with the

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2006 understanding that we would develop such political
2007 institutions and economies and so forth that would bring
2008 them to the point where they could become independent or opt
2009 to affiliate with another country, to say what their own
2010 political destination would be for the future.

2011 It is a government starting with almost an impossible
2012 group of little island territories that was brought together
2013 finally in 1968, through the creation of a Congress of
2014 Micronesia into a system of what you might consider
2015 federated states, with a central legislative body just like
2016 the United States.

2017 There was a central government there, also the local
2018 governments. As the years have gone by and this government
2019 has evolved into more and more of a real functioning
2020 government, we have moved more and more away from it, the
2021 concept being that that is the sovereign.

2022 Now as successor sovereign, it had the right to the
2023 property that the predecessor sovereign, Japan, had and
2024 treat it as public domain, also German. These lands were

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2025 purchased by the Japanese Government, some of them taken,
2026 and in that case we have paid for them later on, but they
2027 are equated to what we call our public domain in the United
2028 States, and the executive branch of that government has the
2029 same authority over those lands as the executive branch of
2030 the United States.

2031 The Congress of Micronesia has enacted certain laws that
2032 permit the use of these lands as public domain. It is the
2033 sovereign authority over public lands that are not otherwise
2034 owned, vacant, unappropriated public lands.

2035 Mr. Yates. May I ask you the question then, what is the
2036 relationship of the Trust Territory to the United Nations?

2037 Mr. Chapman. The relationship of the Trust Territory to
2038 the United Nations is one of a territory or an area that,
2039 prior to World War II, was in the mandated system. This
2040 would have been a class 4 mandate. The prediction for ~~DOE~~ ARCHIVES
2041 class 4 mandate would be that it could never develop into a
2042 political entity, just because of its geographic problems,
2043 that they transferred into Trust Territories, plural. There

2044 were lots of them after World War II, as you know.

2045 Mr. Yates. Why does the United Statse describe itself as
2046 the trustee for the Trust Territory?

2047 Mr. Chapman. They do not. You did.

2048 Mr. Yates. It is not a trustee?

2049 Mr. Chapman. I do not buy that analogy personally. They
2050 are the administering authority.

2051 Mr. Krulitz. Mr. Chairman----

2052 Mr. Helman. The trusteeship agreement provides it as----

2053 Mr. Chapman. They have trusteeship duties.

2054 Mr. Yates. Then they are a trustee if they have trustee
2055 duties.

2056 Mr. Chapman. The trouble of equating it to the Anglo-
2057 Saxon concept of trust is you get into another whole legal
2058 analysis that is not appropriate here.

2059 For example, the power of the court over the trustee.
2060 This has come up in the people of say Saipan case recently
2061 befor the 9th Circuit.

2062 Mr. Yates. Yes, and what happened? What did the court

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2063 say?

2064 Mr. Chapman. The 9th Circuit--this had to do with a NEPA
2065 case and the 9th Circuit held that the Trust Territory
2066 Government was not a Federal agency or instrumentality, that
2067 it had its own courts, and the people were also alleging
2068 breaches of the duties of the United States under the
2069 trusteeship agreement under mainly under article 6, and the
2070 court said well, okay, we are not going to leave you without
2071 a right, but you had better go to the high court of the
2072 Trust Territory only if they deny you a remedy, not relief
2073 but a remedy, we invite you to come back into the Federal
2074 court system.

2075 Mr. Krulitz. Mr. Chairman?

2076 Mr. Yates. Mr. Krulitz.

2077 Mr. Krulitz. I might just say that it is certainly I

2078 think accurate to say that the Trust Territories are
2079 administered by the United States Government pursuant to the
2080 terms of the arrangement that was made with the United
2081 Nations.

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2082 Mr. Yates. What are those terms? Is it not a trustee?

2083 Mr. Krulitz. The terms are set out in an arrangement with
2084 the United Nations. I do not know whether you can analogize
2085 all of the United States common law as it relates to
2086 trusteeship or not.

2087 Mr. Yates. All right, let's go on here. I think we have
2088 succeeded in muddling this up very well.

2089 Mr. Chapman. Mr. Chairman, article 3 of the trusteeship
2090 agreement might shed a little bit of light on the power of
2091 the administering authority.

2092 Mr. Yates. While you were talking, Mr. Chapman, there was
2093 a querulous look on the face of the Department of State.

2094 Mr. Chapman. We do not always agree, sir.

2095 Mr. Yates. But does not State have the jurisdiction?

2096 Mr. Chapman. Their jurisdiction under the executive order
2097 is to interpret the trusteeship agreement.

2098 Mr. Yates. Right.

2099 Mr. Chapman. All the other jurisdictions with regard to
2100 the duties of the administering authority are initially in

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2101 the Department of Interior and/or its delegate.

2102 Mr. Yates. Should I listen to State or to you with

2103 respect to the trusteeship agreement?

2104 Mr. Helman. Mr. Chairman, I was going to make the same

2105 point. I was going to refer you to article 3.

2106 Mr. Yates. Article 3 of what.

2107 Mr. Helman. Of the trusteeship agreement.

2108 Mr. Yates. What does it say?

2109 Mr. Helman. In which the administering authority "shall

2110 have full powers of administration, legislation and

2111 jurisdiction over the territory subject to provisions of

2112 this agreement that may apply to the Trust Territories

2113 subject to any modifications which the administering

2114 authority may consider desirable, such of the laws of the

2115 United States as it may deem appropriate, local conditions

2116 and requirements."

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2117 Mr. Yates. So then it is your contention that we are not

2118 acting as the trustee?

2119 Mr. Helman. I will bow to advice of counsel that we

2120 really should not use the term ''trustee'' in the common law
2121 sense of the word. We are the administering authority.
2122 Commonly one is referred to as a trustee in these matters,
2123 but the law of United States trusts, as far as I am aware,
2124 does not ordinarily apply to international circumstances.

2125 Mr. Yates. The impression that I gather you are trying to
2126 leave is that to all intents and purposes the United States
2127 is the permanent owner of this area.

2128 Mrs. Van Cleve. No.

2129 Mr. Helman. Not the owner, no, sir.

2130 Mr. Yates. What impression are you trying to leave then?

2131 Mr. Helman. I thnk probably the best thing to do would be
2132 to state quite clearly that our rates and obligations there
2133 are pursuant to the trusteeship agreement.

2134 Mr. Yates. Which may be placed in the record at this
2135 point.

2136 [The information follows:]

2137

2138 ***** COMMITTEE INSERT *****

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2139 Mr. Helman. Article 6 describes how we discharge our
2140 responsibilities. I referred to it earlier. I tried to
2141 summarize it very quickly because article 6 consists of
2142 three medium-sized paragraphs, but briefly, the first
2143 paragraph discusses fostering the development of political
2144 institutions such as are suited to the Trust Territory.

2145 The second article talks about promoting economic
2146 advancement and self-sufficiency.

2147 Mr. Yates. All right. Let's put that in the record.

2148 [The information follows:]

2149

2150 ***** COMMITTEE INSERT *****

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2151 Mr. Yates. Let's go back to the agreement that I started
2152 to read. It says that all these lands may be divided among
2153 the former Bikini people "as they shall mutually agree and
2154 that use rights to the land, lagoon and reefs of the above-
2155 mentioned lands, together with all of the buildings and
2156 trees thereon shall be held by them," so you own all those
2157 lands, right, Mr. Weisgall, under this agreement? You do
2158 not seem to enjoy that very much.

2159 Then it goes on to say "The aforesaid use rights in the
2160 aforesaid government lands shall continue until such time as
2161 it may be possible for the people to return to Bikini,
2162 providing they wish to return to occupy said atoll."

2163 Then it says, "The Government of the Trust Territory of
2164 the Pacific Islands and/or the Government of the United
2165 States of America shall possess the full use rights to
2166 Bikini Atoll until such time as it determines it will no
2167 longer be necessary to occupy and use the said atoll."

2168 So the Government of the United States and/or the
2169 Government of the Trust Territory of the Pacific Islands

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2170 owns the Bikini Atoll until such time as it wants to
2171 surrender it, according to that language.

2172 Mrs. Van Cleve. Has use rights thereon.

2173 Mr. Evans. Will the chairman yield?

2174 It sounds more in the nature of a lease without a term.

2175 Mr. Yates. All right, a lease without a term.

2176 Mr. Chapman. There is another little term that is
2177 missing.

2178 In 1955 the Department of Interior and the Department of
2179 Defense entered into what I refer to as master agreement,
2180 under which the Trust Territory Government was to acquire
2181 lands that the Department of Defense needed for defense
2182 purposes in the Trust Territory, for which just compensation
2183 was to be paid. When the Department of Defense said, "We
2184 want this," or if they had something that they had been
2185 using and then it had to be regularized, the Trust Territory
2186 Government negotiates with the owners of the land and
2187 negotiates a use and occupation agreement.

2188 The Trust Territory Government would then enter into a

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2189 mirror agreement with the United States Government for the
2190 use and occupancy fo that atoll, so it was the Trust
2191 Territory Government that was conveying the use rights to
2192 the United States Government, and that is what is meant by
2193 that rather curious language.

2194 Mr. Yates. Okay, a lease in perpetuity, right?

2195 Mrs. Van Cleve. Substantially.

2196 Mr. Yates. Until such time as the government does not want
2197 it?

2198 Mr. Chapman. It could be.

2199 Mr. Yates. But the effect of this is to still retain
2200 ownership rights in the people of Bikini, is that correct?

2201 Mr. Chapman. Right.

2202 Mr. Yates. With a permanent lease from the United States
2203 of America and the Trust Territory Government?

2204 Mr. Chapman. That is correct.

2205 Mr. Yates. Then we go on and they say, 'The sum of
2206 \$325,000 shall be conveyed to those persons, those
2207 commoners, who possess rights in Bikini Atoll. This money

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2208 is to be administered as follows: (1) \$15,000, receipt of
2209 which is hereby acknowledged, to be paid the aforesaid
2210 parties at the time of signing this agreement and may be
2211 divided among those who possess aforesaid rights in Bikini
2212 Atoll, or otherwise utilized as all parties concerned agree;
2213 and (2) the remaining \$300,000.9 to be placed in a trust
2214 fund to be established and administered by the High
2215 Commissioner until such time as said trust fund can be
2216 administered by a qualified institution. The trust fund
2217 shall be invested only in United States Government
2218 securities and interest accrued from said fund will be paid
2219 in such manner as may be further agreed upon by the alabs
2220 and people with vested land rights in Bikini.

2221 'The people and alabs'--what is an alab, a family?

2222 Mr. Weisgall. There is a three-tier land tenure system in
2223 the Marshall Islands. At the top is the orioj, who is most
2224 or less the paramount chief. Think of a feudal system while
2225 dealing in analogies. The alab is a kind of middle level
2226 person who has use rights but does not actually own the

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2227 land, and at the bottom tier is a kirjobel, someone who
2228 actually will more or less till the land.

2229 The problem you have here, and the reason we got into this
2230 agreement, was that big atoll, all of the land in the
2231 Marshall Islands as far as I know, with the exception of
2232 Kili Island and some of these islands on Jaluit is owned by
2233 one erog or another. The only public domain land I believe
2234 after World War II was Kili, and these islands on Jaluit.
2235 There may have been some others, but in terms of placing the
2236 people of Bikini on another location, the reason Kili and
2237 Jaluit were so attractive is that they were not owned by an
2238 erog.

2239 The reason this is important is because the Bikinians I
2240 believe sometime in the early 1950s renounced the erog, as a
2241 result as I understand it of extreme frustration at their
2242 situation of being moved first to Rongerik, later to
2243 Kwajalein, and being very upset with their predicament. The
2244 erog of Bikini was a gentleman named Legelin Kabua and the
2245 Bikinians simply renounced his rights. They said, we no

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2246 longer recognize an erog. As a result of this renouncement,
2247 they feel today that the only land on which they would be
2248 comfortable would be land which is not owned by an erog,
2249 because they simply no longer recognize the erog as the
2250 paramount chief.,

2251 Mr. Yates. There is no erog on Kili?

2252 Mr. Weisgall. No. That is the one attraction of Kili.

2253 Mr. Yates. Is there an erog on Jaluit?

2254 Mr. weisgall. There is but not on the Islands of Jabwor
2255 and----

2256 Mr. Yates. What about Jar-Jaluit? Bokalablab is on
2257 Jaluit.

2258 Mr. Weisgall. I defer to Mr. deYoung on that question.
2259 Maybe he would know.

2260 Mr. deYoung. Those are all the public domain.

2261 Mr. Yates. Those are all the public domain. And so the
2262 Bikinians got \$325,000 for giving up their land, right? And
2263 the people in the alab 'signing this Agreement in Principle
2264 represent that they have the full and complete right to

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2265 represent the interests of any and all individuals who by
2266 reason of having lived on Bikini or Kili, may now or at any
2267 future date have a claim against the United States of Trust
2268 Territory Governments by reason of their use of Bikini
2269 Atoll.

2270 "Accordingly, the people and alabs signing this agreement
2271 agree that any future claims by Bikinians based on the use
2272 of Bikini by the Governments of the United States or the
2273 Trust Territory, or on the moving of the Bikini people from
2274 Bikini Atoll to Kili Island shall be against them and not
2275 against the government.

2276 "This agreement was made voluntarily and without any
2277 compulsion or coercion whatsoever."

2278 That is the agreement that is in full force and effect
2279 now, right?

2280 Mr. Helman. Yes.

2281 Mr. Yates. Is that right, Mr. Weisgall?

2282 Mr. Weisgall. I believe that is correct, Mr. Chairman.

2283 Mr. Yates. Now what are we going to do with the

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2284 Bikinians, now that we have gone through all the facts and
2285 figures?

2286 Mr. Weisgall. While you were asking questions of the
2287 representative from the State Department, I had an
2288 opportunity to have a rather lengthy didscussion with Mr.
2289 Leiticus based on your hypothetical question, which is
2290 basically the \$64 question, that being, assuming food came
2291 every month would the people want to stay on Bikini?

2292 Several responses, and let me tick them off because it is
2293 a bit complicated.

2294 Some people would want to stay. Others would want to
2295 leave. The ones who want to leave perceive the risk as
2296 being too high, the most immediate risk being that of an
2297 inability to control younger people from going into the
2298 interior.

2299 I asked Mr. Leviticus if that problem would disappear if
2300 food were brought every month. He felt that it would not.

2301 He also explained to me that some people, this apparently
2302 is a misunderstanding that some of the people on Bikini now

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2303 have, but the ones who want to stay told him that in their
2304 view their children are already exposed to this radiation,
2305 and therefore it does not matter whether they stay or go,
2306 and since they have been exposed it is okay to stay.

2307 Mr. Yates. We know that is wrong, don't we?

2308 Mr. Weisgall. Mr. Leviticus knows it is wrong.

2309 Apparently, the people on Bikini, some of the people, hold
2310 these views. Mr. Leviticus' personal view is that he is now
2311 convinced that the danger is too great on Bikini, and he is
2312 prepared to and wants to move to Kili.

2313 Now the last point is, he reported to me that some of the
2314 people living on Bikini would be prepared to stay there, if
2315 an Eniwetok-type arrangement were made, which basically
2316 means bringing in all new soil, basically rebuilding the
2317 island.

2318 Mrs. Van Cleve. We just can't do it.

2319 Mr. Deal. We are not doing that at Eniwetok.

2320 Mr. Yates. They are not doing it at Eniwetok.

2321 What are they doing, Mr. Deal?

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2322 Mr. Deal. At Eniwetok, as we mentioned in our earlier
2323 discussions with you, the three islands at the lower part of
2324 the atoll, ~~which~~ were not contaminated to any substantial
2325 degree, there are levels of radiation lower than they are in
2326 the United States, in cesium and strontium. The upper
2327 islands were heavily contaminated. These are being cleaned
2328 up, and they are removing soil ^{to get rid of it} ~~for~~ plutonium ~~reasons~~. There
2329 is plutonium in the soil, and they are removing the *contaminated*
2330 ^{soil} ~~plutonium~~ on those islands, and when they finish, there
2331 should be several islands that ^{will be habitable} ~~once~~ the cesium decays----

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2332 Mr. Yates. Thirty years?
2333 Mr. Deal. Thirty years about, yes, sir, that would be an
2334 area that then you could opt to resettle it once you look at
2335 it at that time. We intend to do further monitoring as soon
2336 as a cleanup is done to see how effective it is.

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2337 Mr. Yates. What Mr. Deal is saying is that there is
2338 apparently a misunderstanding by Mr. Leviticus or by the
2339 people.

2340 How do we do equity here? Are the Bikinians willing to

2341 take the majority opinion of their people?

2342 Mr. Weisgall. Mr. Chairman, I too find myself in a
2343 difficult position, because it is hard to represent one
2344 group of people when opinion is so divided. In October
2345 1975, representing the Bikinians, I filed a lawsuit in
2346 Honolulu trying to prevent the removal of more people from
2347 Kili to Bikini, based on the fact that many Bikinians living
2348 on Kili were convinced that insufficient studies had been
2349 made of Bikini. Other people living on Kili wanted to go
2350 back. It was our feeling at the time that sufficient facts
2351 were not known, so no one could really make a considered
2352 judgment as to whether it was possible to move back.

2353 It appears now that sufficient facts on a preliminary
2354 basis have become available showing that there is a
2355 substantial risk of remaining on Bikini Island.

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2356 Mr. Yates. What about the lands that are described in
2357 that agreement I read? Are they adequate for the Bikinians?

2358 Mr. Weisgall. As the statement said, Kili now could be
2359 described as overcrowded. It could handle more people with

2360 more facilities.

2361 Mr. Yates. What does 'more facilities' mean?

2362 Mr. Weisgall. More facilities means more housing,

2363 improved housing, and ties to the outside world. The

2364 Bikinians, the ones living on Kili and the ones on Bikini,

2365 emphasize to me over and over the importance of increased

2366 communications, the need of a pier, the need of a runway.

2367 I visited Kili several years ago. I have never felt so

2368 isolated in my life. The United States could have been

2369 blown off the globe and I would not have known it. There

2370 was one radio tie to Majuro, which was not a particularly

2371 good radio tie, and that is the only communication to the

2372 outside world. It is my belief that if Kili could be

2373 improved to increase these communications with the outside

2374 world, if the transportation system, which is something we

2375 have come back to time and again, both with respect to

2376 Bikini, with respect to Kili and really throughout the Trust

2377 Territory, if the transportation system could be improved, I

2378 think that the people could return to Kili and lead useful

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2379 lives, and that is what they have told me.

2380 Mr. Yates. Then what happens to the people who want to

2381 stay on Bikini? Are you going to forcibly remove them?

2382 Mr. Weisgall. I think----

2383 Mr. Yates. Why don't you ask Mr. Leviticus that question?

2384 Mr. Weisgall. Very good.

2385 I do not have a very satisfactory answer. Mr. Leviticus

2386 says that the older people living on Bikini feel that they

2387 have already been exposed to whatever radiation they are

2388 going to be exposed to, that there is no need therefore for

2389 them to move, and he frankly does not know what to do about

2390 them.

2391 Mr. Yates. Mrs. Van Cleve.

2392 Mrs. Van Cleve. I put that question to the High

2393 Commissioner just last Friday. He, as you know, from his

2394 statement, which I hope will be made fully a part of the

2395 record----

2396 Mr. Yates. It already has been.

2397 Mrs. Van Cleve. Good.

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2398 He met with every human being on Bikini during some
2399 portion of his June 1 and June 2 meetings. It is his
2400 judgment that we will not be forced to answer the question
2401 you put. It is his judgment that forcible removal will not
2402 be required.

2403 He says that the older people indeed would like to remain,
2404 and just as Mr. Weisgall has said, they are often of the
2405 view that they have already been so fully exposed that they
2406 will not increase the risk appreciably. It is his judgment,
2407 as it is ours, and I believe it is the judgment of the
2408 Department of Energy as well, that there is too much of a
2409 risk in permitting the old people to remain because they
2410 will be visited by the young people. Marshall Islanders
2411 being what they are, they will simply not live in isolation
2412 age 65, and accordingly, we return to this system of the
2413 young, which we want to above all avoid. So it is the High
2414 Commissioner's judgment, I am glad to pass on as the best
2415 guess on the basis of his latest experience, that all of the
2416 people of Bikini ultimately, if called upon to do so, will

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2417 leave. They will leave with great sadness. They will leave
2418 with great reluctance. It will be a sorrowful occasion, but
2419 he says that he believes that they will leave.

2420 Mr. Yates. Farewell to Paradise.

2421 Is there any alternative to destroying the coconut trees
2422 and the pandanus and the other sources of food so that there
2423 would be no further contamination or ingestion of
2424 contaminated food?

2425 Mr. Deal. Are you asking----

2426 Mr. Yates. I am asking somebody.

2427 Mr. Deal. ----whether the people could then live there?

2428 Mr. Yates. Yes.

2429 Mr. Deal. I don't know of any practical alternative, Mr.
2430 Chairman.

2431 Mr. Yates. Suppose you knock down the coconut trees or
2432 transplant them somewhere else, and suppose you don't let
2433 the pandanus grow or the breadfruit and the other things.

2434 Is that an alternative?

2435 I have no vision of what the land is like. To me it is

2436 this ring on the map around a lagoon. If you say they can
2437 still fish, at least that is one blessing. The fish aren't
2438 contaminated.

2439 Can they catch fish there? Is fishing any good?

2440 Mr. Weisgall. They can, as far as I know.

2441 Mr. Yates. Are the fish any good?

2442 Mr. Weisgall. As far as I know, the lagoon at Bikini

2443 Atoll is the biggest source of plutonium in the world. I

2444 might be wrong on that. I don't know about the fish.

2445 Mr. Yates. You say the fish is not contaminated?

2446 Mr. Deal. The fish, yes, sir.

2447 Mr. Yates. What about that, Mr. Weisgall, as a

2448 possibility? You were out on the island.

2449 Mr. Weisgall. I have never been to Bikini. I have been

2450 to Kili.

2451 Mr. Yates. Who has been to Kili?

2452 Mr. DeBrum. I have.

2453 Mr. Yates. What about it? Ask Mr. Leviticus that

2454 question. I don't know how it would look. Apparently not

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2455 for another 30 years will the people be able to climb a tree
2456 and knock down a coconut, that being the half life of
2457 cesium.

2458 [Discussion off the record.]

2459 Mr. Weisgall. Mr. Chairman, the best response I can give
2460 you, and really extrapolating from the translation, is that
2461 at that point, Bikini is no longer a home. All of the
2462 skills are lost. On Kili there is food growing. The skills
2463 that have remained would remain. It would be very difficult
2464 indeed.

2465 Mr. Yates. I guess that is the answer, and then the only
2466 problem that remains then are the older people who want to
2467 stay on Bikini.

2468 Mr. Weisgall. That is correct.

2469 Mr. Yates. How many are there?

2470 Mr. Weisgall. There are approximately 60 elderly people
2471 living on Bikini Island now.

2472 Mr. Yates. Who want to stay?

2473 Mr. Weisgall. Who would like to stay? I should say that,

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2474 speaking personally, I share Mrs. Van Cleve's view. I think
2475 that, based on my discussions with the Bikinians, it is my
2476 feeling that your hypothetical question involving forced
2477 removal is one that will not have to be faced. I think the
2478 people will leave. As you call their Paradise, I would call
2479 their contaminated Paradise.

2480 Mr. Yates. Robert Kisti of the University of Minnesota, I
2481 guess, in concluding--I guess I have concluded this--studying
2482 enforced migration of the Bikinians--says this at page 193 in
2483 summary conclusions, a note on the governing of men:

2484 "The Bikinians of today are of a more sophisticated and
2485 experienced people than those who left their homeland in
2486 1946. They have learned to deal with Americans in
2487 increasingly effective ways, and they are no longer the shy
2488 and uncertain people of the past.

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2489 "The price the Bikinians have paid for their recently
2490 gained worldliness has been high, and it is not difficult to
2491 share their conviction that they have indeed suffered a
2492 great injustice, and that the United States has an

2493 obligation to them. For the past quarter century those
2494 islanders who new Bikini Atoll well have experienced mental
2495 anguish and physical deprivation. Those who were young at
2496 the time of relocation or were born afterwards have paid the
2497 psychic cost of growing up in a community whose elder
2498 members were discontented and frustrated with their lives.

2499 'The future will be difficult. The return to Bikini will
2500 require major adjustments for all. For older islanders, the
2501 Bikini of today is radically altered from the homeland they
2502 have left. The younger people have much to learn about life
2503 on a remote atoll. In a very real sense, they are the
2504 second generation of islanders to be relocated from an
2505 environment with which they are familiar. The misfortune of
2506 the Bikinians would perhaps seem less tragic if it were an
2507 isolated case.

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2508 'At the time United States gained control of the islands,
2509 25 of the 34 atolls and single islands which comprise the
2510 Marshalls were inhabited. Of the 25 people, 6 have already
2511 been adversely affected in various ways by American post-war

2512 military operations. The people of Eniwetok ...''

2513 We will have a hearing on that too. I think probably we

2514 ought to have an extensive hearing on the condition of the

2515 Marshalls, but this is a hearing on Bikini, and I guess we

2516 have just about come to the end of it, and I think maybe we

2517 ought to get a report through Mrs. Van Cleve and Mr. Winkel

2518 at such time as these problems are in some measure

2519 ameliorated. We ought to get a report on what has been

2520 happening. I think you ought to stay in very close touch

2521 with the committee and let us know what they are doing and

2522 propose to be doing. I think we will set this down for

2523 hearing in another month just to keep track. Fix a date

2524 with Mrs. Van Cleve around July 19 or so. We will go at it.

2525 I don't see any alternative; do you, Mr. Weisgall?

2526 Mr. Weisgall. I really don't, Mr. Chairman.

2527 Mr. Yates. And does Mr. Leviticus see any alternative?

2528 Mr. Weisgall. No, he doesn't.

2529 Mr. Yates. Okay.

2530 [The information follows:]

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2532 ***** INSERT 1E1 *****

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2534 Mr. Yates. Thank you to the State Department, Mr. Helman,
2535 and thank you all.

2536 I think you are still with it. I don't think you are
2537 through with it yet.

2538 Mr. Krulitz, I don't think we are through with this yet.

2539 Thank you, Mrs. Van Cleve.

2540 [Whereupon, at 12:20 p.m., the subcommittee was
2541 adjourned.]

2542

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