

<b>JOINT MESSAGEFORM</b>				<b>RESERVED FOR COMMUNICATION CENTER</b>			
SECURITY CLASSIFICATION <b>UNCLASSIFIED</b>				Message Contains Weapons Data ( ) Yes (X) No Oct 27 22 51 '72			
TYPE MSG	BOOK	MULTI	SINGLE				
		X					
PRECEDENCE							
ACTION				<b>ROUTINE</b>			
INFO				<b>ROUTINE</b>			
				DTG			
FROM: M. E. GATES, MGR., NV/ PASO, HONOLU- LU, HAWAII  TO: NV-HQ, ATTN: THOMAS FLEMING, CHIEF COUNSEL, LAS VEGAS, NEV.  INFO: USAEC, WASHINGTON, D. C. MARTIN HOFFMAN, GENERAL COUNSEL; JOHN PENDER, ASST. GEN. COUNSEL;  MAJ. GEN. FRANK CAMM, AGMMA  UNCLAS / QUOTED BELOW IS LETTER DATED OCT 24, 1972 RECEIVED THIS DATE IN PASO, ORIGINAL ADDRESSED TO MR. ROGER RAY, AMO, NV, FROM THE LAW OFFICES OF THE MICRONESIAN LEGAL SERVICES CORPORATION. COPIES OF THE LETTER HAVE BEEN ADDRESSED TO THOMAS FLEMING, CARROLL H. DUNN, PETER <del>X</del> T. COLEMAN, JON T. MIHO AND GRANT C. REYNOLDS:  QUOTE -  RE: PEOPLE OF ENEWETAK, ET. AL. V. MELVIN R. LAIRD, ET AL. U. S. D. C., HAWAII, CIVIL NO. 72-3649.  DEAR MR. RAY:  YOUR LETTER OF COTOBER 13 ENCLOSING A NEWS RELEASE						SPECIAL INSTRUCTIONS          REPOSITORY <u>DOE/PASO</u> COLLECTION <u>DOE/NV</u> BOX NO. <u>1234</u> FOLDER <u>ENEWETAK AMO/DOG/OK</u> <u>SAVING 6/30-11/76</u>	
		DATE		TIME			
		27					
		MONTH		YEAR			
		OCT		1972			
		PAGE NO.		NO. OF PAGES			
		1		3			
D R A F T E R	TYPED NAME AND TITLE		PHONE X-111 845-7611		SIGNATURE <i>W. K. ...</i>		
					TYPED (or stamped) NAME AND TITLE M. E. Gates, MGR. NV USAEC/PASO		
SECURITY CLASSIFICATION <b>UNCLASSIFIED</b>				REGRADING INSTRUCTIONS <b>EPB-757</b>			

UNCLASSIFIED

ROUTINE  
ROUTINE

M. E. GATES

M. E. GATES

ANNOUNCING A "SURVEY" OF ENEWETAK ATOLL HAS BEEN RECEIVED.

WILL YOU PLEASE TELL ME PRECISELY WHO IS PRIMARILY RESPONSIBLE FOR THIS "SURVEY" AND EXACTLY WHAT IT ENTAILS? TERMS LIKE "ENGINEERING PLAN" AND "RADIOLOGICAL POINT OF VIEW" ARE UTTERLY MEANINGLESS TO US. PLEASE BE SEPCIFIC AND DETAILED IN YOUR RESPONSE. WE MADE IT PERFECTLY CLEAR TO ATTORNEYS MIHO AND REYNOLDS IN THE PRESENCE OF JUDGE KING ON OCTOBER 4 IN HONOLULU THAT THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA) APPLIES TO ANY AND ALL ASPECTS OF THE ENEWETAK REHABILITATION PROGRAM AND THAT BEFORE MAKING ANY DECISION TO PLAN OR EFFECTUATE IT, AN ENVIRONMENTAL ASSESSMENT IS REQUIRED, INCLUDING FULL AND MEANINGFUL INVOLVEMENT OF THE ENEWETAKESE. MOREOVER, THE TRUST TERRITORY GOVERNMENT, THROUGH MR. PETER COLEMAN, HAS REPEATEDLY EXPRESSED THE PROMISE THAT THE PEOPLE OF ENEWETAK WILL DECIDE HOW AND WHEN AND IN WHAT WAY THE ATOLL WILL BE RESTORED.

UNCLASSIFIED

ROUTINE  
ROUTINE

W. K. STREENAN

M. E. GATES

UNLESS I HEAR FROM YOU IMMEDIATELY, I HAVE INSTRUCTIONS TO PREPARE AND FILE A LAWSUIT TO ENJOIN THE ATOMIC ENERGY COMMISSION AND EVERY OTHER AGENCY INVOLVED FROM PROCEEDING WITH ANY ACTIVITIES IN CONNECTION WITH THE REHABILITATION OF THE ATOLL.

SINCERELY,

THEODORE R. MITCHELL, EDWARD C.  
KING AND DENNIS F. OLSEN

BY \_\_\_\_\_  
THEODORE R. MITCHELL

END QUOTE

REQUEST ANY GUIDANCE YOU DEEM APPROPRIATE NLT 1200

HOURS SATURDAY 28 OCTOBER HAWAIIAN TIME.

END MSG. EPB-757