



UNITED STATES  
ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

WASHINGTON, D.C. 20545

*R*

January 13, 1976

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DEVELOPMENTS IN THE BIKINI LITIGATION

Enclosed for your information are copies of (1) Answers to Interrogatories to Defendant Seamans (Second Phase), and (2) Response to Requests for Admission of Genuineness of Documents, as filed this week. The Department of Justice is preparing the final response to the request for production of documents. I will circulate copies after it has been finalized.

George Allen and Jonathan Weisgall, the present attorneys for plaintiffs, met with the Department of Justice attorneys last week. They made it clear that they very much desire to settle this lawsuit and that their price is completion of the aerial survey of the entire Northern Marshall Islands. We may see refinements of this but it is clear that they are moving away from the notion of medical examinations for the people, no longer want an environmental impact statement, and have wholly abandoned the attack upon the adequacy of the radiation standards.

In view of this, Floyd France emphasized to me the importance of obtaining OMB resolution of the question of funding the survey at the earliest possible date. I shall discuss this subject further with those of you most directly concerned.

✓ Guy H. Cunningham, III  
Assistant General Counsel for  
Litigation and Legislation

Enclosures:  
As stated

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BOX No. 1234  
FOLDER BIKINI - MISC CORRSPON -  
PEACE / RPTS  
9/74 - 12/75



*"D" Sub-judice*

Synopsis of Meetings held Oct. 31 and Nov. 1 in Honolulu with Judge King and ERDA, DOI, Dept. of Justice, and MLSC representatives *Wm*

Oct. 31

Meeting with all federal defendants. Lawyers are Howard Chang and Floyd Franz, Dept. of Justice.

Basically a work session to agree on US position during this lawsuit. It was agreed that US is willing to concede the view presented in the amended motion. The amended motion is more moderate.

1. Requires all people on Bikini for the last 10 years or people who have visited in the last ten years to have medical exam.

US opinion: DOI or IT responsibility. Not ERDA's. There is no radiological effects on the human population anticipated.

2. EIS for resettlement

US opinion: No requirement exists for an EIS on Bikini.

3. Conduct Enewetak style aerial survey for Bikini.

US opinion: ERDA agrees to do this style of survey. Funds have not been made available in the past to accomplish this. Definite need for DCD support.

Nov. 1

Meeting with MLSC. George Allen not present. Apparently he has been dismissed from the case. Discussions were held between both "sides" and came to agreement on the above three points. A public hearing is scheduled for January 30, 1976 in Honolulu and Roger Fay plans to attend.

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