

COMMENTS ON LETTER: RONGELAP LOCAL GOVERNMENT (SENATOR JETON ANJAIN) TO RMI PRESIDENT AMATA KABUA, DATED MAY 3, 1990

GENERAL COMMENT

In his letter Senator Anjain reports to President Kabua on "a matter of highest and greatest concern," i.e., the alleged adoption and implementation by DOE in 1982 of a policy which, he says, secretly subordinated that department's medical and environmental programs in the Marshall Islands to its program of readiness for the resumption of atmospheric nuclear testing.

Senator Anjain appears to have based his concerns upon a single, internal DOE document: a March 23, 1982 Action Memorandum from Herman Roser, Assistant Secretary for Defense Programs (DP), to the Secretary of Energy, recommending that the Secretary approve the transfer of DOE's Marshall Islands programs to DP. Senator Anjain quotes liberally from that document.

HISTORICAL BACKGROUND

The Marshall Islands Program

DOE's Marshall Islands program had its inception in the emergency mobilization by the AEC, in early March, 1954, of a team of physicians (radiological health specialists) and radiation protection scientists to respond to the accidental exposure of two groups of Marshall Islands residents to radioactive fallout from a nuclear test code-named BRAVO. That medical response, fully coordinated with the Trust Territory administration, and later with the Republic of the Marshall Islands, has continued without interruption to the present time.

One of the most difficult features of the program in the early years was the provision of dependable inter-atoll transportation and logistical support for the expeditionary medical teams. However, this problem was somewhat alleviated when, incident to the 1962 nuclear test programs in the Johnston and Christmas Islands areas, the AEC and the Department of Defense jointly established a support complex in Hawaii. Thereafter, and again, up to the present time, the Marshall Islands medical program derived considerable support, at minimal cost, from the infrastructure of the weapons program. Managing that infrastructure for the AEC (later DOE) was the responsibility of the Nevada Operations Office.

Another element of what came to be known as Marshall Islands programs was a small marine biological research laboratory at Enewetak Atoll, under the administration of the AEC's San Francisco Operations Office. This laboratory, established in 1954, was operated by the University of Hawaii. It, too, came to depend upon logistic support from the Hawaii support complex of the AEC, which had now become known as the Pacific Area

Support Office (PASO), a subordinate office of the Nevada Operations Office. In 1973, administration of the Mid Pacific Research Laboratory (then known as the Enewetak Marine Biological Laboratory) was transferred to the Nevada office.

A third element of the Marshall Islands program was the radiological safety program, conducted by Brookhaven National Laboratory in close coordination with the above-mentioned medical program. Initially, the medical and radiological safety programs were administered by the New York Operations Office of the AEC, which was later absorbed by the Chicago office. Again, however, field logistics relied heavily upon the Nevada office and its Pacific arm, PASO.

During the years 1969-1980, the Nevada Operations Office was directed, in coordination with the Defense Nuclear Agency, to conduct radiological survey and cleanup activities at both Bikini and Enewetak Atolls. Much of the technical staff and equipment and many of the techniques for these tasks came directly from the weapons program at the national laboratories and in Nevada, and from these survey and cleanup efforts emerged the fourth element of the Marshall Islands program: studies of environmental radiation, both marine and terrestrial, conducted by the Lawrence Livermore National Laboratory.

As the Marshall Islands program became more complex, and interactions with the island communities and governments became more frequent, a regional organization evolved within the DOE Nevada office, its Pacific support office and its contractors. By the late 1970's, the Nevada office was fully operational in the Marshalls - with a dedicated research vessel supporting DOE programs, liaison offices at Majuro and Kwajalein, a full time program coordinator in the Honolulu office, dedicated contractor support personnel (most notably from Holmes and Narver) and, in Nevada, a senior Deputy for Pacific Operations.

The Decision

By 1982, in the face of changing circumstances (budget pressures, the emergence of a functioning government of the RMI, the imminent achievement of the Compact), it seemed appropriate to the manager of the Nevada office to propose a move to consolidate all of the Marshall Islands programs under one management authority. This led to a proposal to Assistant Secretary Roser, which he adopted in his action memorandum, to transfer the administration of all of these activities to the Defense Programs (DP) office. No change was made or contemplated in the technical direction of the program elements.

Safeguard C

Safeguard C is a shorthand designator for the national program to maintain the capability to conduct nuclear tests in the atmosphere. It had its genesis in the hearings in the United

States Senate leading to ratification, in 1963, of the US treaty with the Soviet Union, prohibiting such tests. Safeguard C, along with three other safeguards, was adopted by President Kennedy, and has been reaffirmed by every subsequent administration as national policy. It has been the subject of countless hearings in both houses of the Congress, and has been publicly debated on numerous occasions.

Safeguard C is not a plan to resume nuclear testing in the atmosphere in the Pacific or anywhere else. It is open national policy funded by the United States Congress and reported upon at intervals to the appropriate congressional committees. Its purpose is two-fold: (1) to increase the likelihood of adherence by all parties to the 1963 treaty, and (2) to assure that if the treaty is abrogated by any of its parties, United States security interests will be protected by a capability for timely response.

An important element of Safeguard C in the 1970's and 1980's was the existence of bases and facilities in the Hawaiian chain and at Johnston Island to which an expeditionary test organization could be deployed, and from which tests and measurements could be conducted. The managers of this infrastructure (both DOD and AEC/DOE) actively sought methods and opportunities to test and evaluate its responsiveness. DOE's Marshall Islands program, with its need for a versatile and dependable logistic and transportation system, provided the opportunities to test that capability in much the same manner as a civic action (engineering) team exercises a military unit's construction capabilities. Another opportunity was presented by the cleanup of Enewetak Atoll (1977-1980), when Safeguard C readiness resources, along with other programmed resources of the military departments, were brought to bear upon a massive \$150 million effort for which the Congress had appropriated slightly under \$40 million.

From the standpoint of testing and exercising a capability, Safeguard C has benefited from its association with Marshall Islands activities. But to a far greater extent, DOE's Marshall Islands program has depended upon Safeguard C and other weapons program resources as its logistics and support lifeline.

DETAILED COMMENTS ON THE MAY 3 LETTER

In his second paragraph, Senator Anjain states: "Rongelap now knows why the DOE has so vigorously opposed the independent study."

Fact: DOE has never opposed an independent study or review of the situation at Rongelap, or of any other of its Marshall Islands efforts. The department has cooperated fully with numerous independent reviews at Enewetak, Bikini and Rongelap, and has provided free access to its data bases, its methodologies and its laboratory programs. When asked, both

managers and scientists in the DOE program have responded to congressional and other inquiries as to the need for further studies, but neither DOE as an agency nor any authorized departmental spokesman has ever taken the initiative to volunteer opposition to any independent study proposal.

Starting at the bottom of Page 2, Senator Anjain poses a series of "disturbing questions."

(1) Why did DOE adopt this policy?

Fact: Although "this policy" is not defined, the two preceding paragraphs describe the transfer of Marshall Islands programs from one element of DOE Headquarters (EP) to another (DP). This did not represent a change of policy, but was a legitimate internal management action to consolidate related programs. The transfer had the full support of the medical, scientific and other technical teams, and resulted in no change in their mission direction and no diminution of their scientific freedom.

(2) Why and for what purpose were our medical and environmental programs subordinated to the Safeguard C readiness program?

Fact: The question proceeds from a false premise. The Marshall Islands program was not, has not been and is not now in any way subordinated to the Safeguard C program. To the contrary, on numerous occasions important Safeguard C resources have been diverted to provide urgently needed support to the Marshall Islands program. Such diversion has never occurred in reverse.

(3) Why was the knowledge of the Safeguard C readiness program and its application to the Marshall Islands medical and environmental studies withheld, and not disclosed?

Fact: Clearly, there was no withholding of any relevant information on the part of the DOE. Officials and representatives of the Republic of the Marshall Islands, attorneys and representatives of individual communities, and private Marshallese citizens have been welcomed in DOE's Pacific Area Support Office, in the Nevada Operations Office, and at DOE's laboratories. The above-mentioned transfer of responsibility was handled in an entirely open and unclassified manner. The relationship between two DOE programs discussed in Assistant Secretary Roser's internal memorandum, was considered of no particular consequence to anyone outside DOE. However, it was freely discussed in briefings and informal conversations and in no sense was withheld from anyone.

(4) Why are DOE "technical resources" in the Marshall Islands for our health and safety programs largely "weapons-program related" and why are most of DOE's logistic and support base...common to the Safeguard C readiness program?

Fact: The quotation from Mr. Roser's memorandum is incomplete in one important respect: It was preceded by the notation, "with the exception of the professional medical capability..." Thus, the statement did not apply (as Senator Anjain infers) to health programs. As to the safety and environmental programs, the matter is straightforward. Because the weapons program has numerous active facilities requiring continuous and accurate surveillance of environmental radiation and protective measures against exposures of workers and the public, the state of the art in these fields is well represented in the DOE weapons complex. It is these technical resources that are made available by the close association of the two programs. As to the logistic and support base, access to the weapons program infrastructure in both Hawaii and Nevada has made possible a responsive and cost effective Marshall Islands program which simply could not otherwise have been achieved.

(5) Why, given the prohibition against the "detonation of any nuclear weapon" in the Compact, would DOE secretly convert our health and safety programs to a requirement by the United States Government that it "maintain the capability to resume atmospheric nuclear testing?"

Fact: As the above explanations make clear, there was no Secret conversion of the health and safety programs. There was instead, an open and entirely legitimate restructuring of the internal administration and management of certain DOE programs.

(6) Why, and by what authority, did the DOE alter the health and safety programs and make these programs part of the "field effort in the Marshall Islands?"

Fact: The question itself bespeaks a misunderstanding (or misconstruction) of Mr. Roser's action memorandum. DOE's field effort in the Marshall Islands at the time in question was an integral part of DOE's Marshall Islands program. DOE's only reason for being in the Marshall Islands was to carry out the health, safety and environmental programs which had been authorized by the Congress. The point of Mr. Roser's statement that much of this effort "is an exercise of the expeditionary capability...etc." was simply that in addition to the clear benefit to the Marshall Islands program (efficiency, cost savings, etc.) there was incidental benefit to the readiness program deriving from the experience of providing timely operations planning and logistical support.

(7) How long prior to the program transfer were the MI health and safety programs effectively part of the "Safeguard C" readiness program for the resumption of atmospheric testing?

Fact: As explained above, the programs are not and never have been a part of the readiness program. They have, however, since the inception of the readiness program, derived very real and substantial benefits from their organizational association therewith.

Following the questions, Senator Anjain proceeds, still on Page 3, to allege that "DOE instituted a program in 1982 to prepare for the resumption of testing and did so by making all of our medical, safety, and environmental programs part of DOE's Safeguard 'C'." This is simply not true. No change was made in 1982 in DOE's readiness posture, nor could DOE have taken any steps to prepare for the resumption of testing without direction from the President. Maintenance of the capability, as described above, was done openly and in response to publicly acknowledged national policy. As also stated above, the medical, health and environmental programs are not and never have been a part of the Safeguard C readiness program.

In the last paragraph on page 3 and the first two paragraphs of page 4, the argument is advanced that perhaps DOE's interest in the people of Rongelap is in studying them - using them as test subjects, deliberately exposed to radiation for purposes of DOE research - and: "DOE was upset when Rongelap moved into exile. Rongelap disrupted DOE's research plans and ever since, DOE has been very upset over Rongelap's departure." This is absurd. In the first place, radiation exposures of members of the Rongelap community at the time of their departure from their atoll were in the neighborhood of 80 - 90 millirem per year, from all sources, natural and man-made. This compares with a range of 200 - 300 millirem per year for residents of the continental United States. The DOE medical program in which the people of Rongelap have voluntarily participated, and in which they voluntarily participate today at Mejjatto, is a clinical program, dedicated solely to their health and well being.

The last question posed in Senator Anjain's letter, "Is Rongelap Atoll safe?" is one that has been asked and answered many times in recent years. DOE reports, later supported by the independent report of Dr. Kohn (Rongelap Reassessment Project Report), indicate that radiation exposures in a resident Rongelap community are well within a range that is considered acceptable elsewhere in the world, and very much lower than those experienced by much of the world's population. With certain dietary restrictions, even the northern islands of the atoll can be utilized, and with certain quite reasonable remedial measures can probably be made fully habitable. These measures have been fully described in DOE correspondence with the government of the Marshall Islands.

THE COMPACT OF FREE ASSOCIATION

On his first page, and on his last, Senator Anjain questions the integrity of the Compact of Free Association, suggesting that the Department of Energy has a secret and sinister plan to conduct nuclear tests in the Marshall Islands, in violation of a clear provision of the Compact prohibiting such tests. This allegation, which is demonstrably untrue, needs to be refuted in the strongest possible terms.

PERSONAL COMMENT

The Anjain letter continues a series of allegations, specious arguments and distortions which have been advanced in letters, hearings, congressional testimony and public statements regarding the unfortunate and unnecessary Rongelap controversy. On numerous occasions, Mr. David Weiman, identified by Senator Anjain as the authorized representative of the Rongelap Atoll Local Government, has advanced these allegations and arguments in correspondence and meetings with DOE officials and advisors, and has received from the DOE complete, candid and authoritative responses. Subsequently, again on numerous occasions, the self-same allegations, arguments and distortions have appeared in letters and testimony of Mr. Weiman and of Senator Anjain - without even an acknowledgement of the DOE responses. The people of Rongelap are ill-served by such representation. It is regrettable that in their continuing exile they bear the cost of whatever may be the purpose and motivation of their spokesmen.


Roger Ray

Bethesda, Maryland
May 22, 1990