1960 JUN 14 PM 4 35

CONFIDENTIAL

U.S. ATOMIC ENERGY COMM.
TWX UNIT

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FM CJTF 7 WASHDC

TO USAEC WASHDC

INFO USAEC ALOO SANDIA BASE ALBUQUERQUE

CHIEF DASA WASHDC

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FROM JCO 6 PPEPIM AEC FOR GEN STARBIRD: ALOO FOR GEN HERTFORD ATTN LUCKETT: DASA FOR COL PENLY. REF YOUR MSG C-86 NOTAL.

CJTF-7 COMMENTS ON DRAFT ENIWETOK PROVING GROUND TRANSFER AGREEMENT QUOTED IN REFERENCED MSG ARE AS FOLLOWS:

A. SUGGEST THE FOLLOWING WORDING FOR THE DEFINITION OF THE ENIWETOK PROVING GROUND: (WHEREAS THE ENIWETOK PROVING GROUND (HEREINAFTER CALLED "EPG") COMPRISES THE ENIWETOK AND BIKINI ATOLLS AND SIX OFF-ATOLL WEATHER/RADSAFE SITES LISTED BELOW WHICH ARE PART OF THE UNITED NATIONS TRUST TERRITORIES ADMINISTERED BY THE UNITED STATES: A WEATHER/RADSAFE SITE ON THE ISLAND OF BETIO (TARAWA ATOLL) WHICH IS A PART OF THE GILBERT AND ELLICE ISLANDS COLONY OF THE UNITED KINGDOM: AND A WEATHER/RADSAFE SITE ON THE ISLAND OF NAURU WHICH IS PART OF THE UNITED NATIONS TRUST TERRITORIES ADMINISTERED BY AUSTRALIA"

Not used

B. SUGGEST PARAS 1B AND C BE DELETED. COMPACMISRAN HAS NO REQUIREMENT FOR THESE AUXILIARY CRAFT. CJTF-7 AND AEC ENIWETOK ARE IN PROCESS OF ARRANGING TO RETURN THESE TO THE OWNER,S CUSTODY UNDER THE TERMS OF THE EXISTING AGREEMENT.

No good.

C. IN REFERENCE TO THE LAST SENTENCE OF PARA 2: BELIEVE THAT THE AEC WOULD WANT TO INSERT A SEPARATE PARA READING IN SUBSTANCE AS FOLLOWS: "AEC RELIEVES DOD AND NAVY OF ANY RESPONSIBILITY OR LIABILITY FOR ANY CLAIMS ARISING OUT OF OR IN CONNECTION WITH AEC OPERATIONS IN THE EPG: INCLUDING THE ANNOUNCED DANGER AREA IN THE OPEN SEA: ACCRUING PRIOR TO JULY 1: QOYPMZ

Legal says No.

D. IN PARA 4: SUGGEST THAT THE WORDS "ON PARRY ISLAND" BE REPLACED BY THE WORDS "IN EPG" SINCE IT IS POSSIBLE THAT COMPACMISRAN MIGHT WISH TO MOVE THIS LABORATORY AT SOME TIME IN THE FUTURE.

OK

E. IN PARA 8: SUGGEST THE ADDITIONAL SENTENCE: (HOWEVER: OBLIGATIONS INCURRED PRIOR TO 1 JULY 1960 UNDER AGREEMENTS IN EFFECT PRIOR TO 1 JULY 1960 WILL BE BROUGHT TO A REASONABLE CONCLUSION BY BOTH OR EITHER PARTY UNDER THE TERMS OF THE AGREEMENT IN EFFECT PRIOR TO 1 JULY 1960

Legal says No

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RECD VIA NET 14/2031Z HA

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AUTHORITY: DOE/SA-20
BY R.S. DEWEY, DATE: 4/8/94

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PARAPHRASE NOT REQUIRED

~~HANDLE AS RESTRICTED CORRESPONDENCE~~

2027