

30 Congressmen Sue for Release Of Secret Report on Alaska A-Tests

Thirty congressmen filed a lawsuit in U.S. District Court here yesterday, seeking release of a secret government report they believe is critical of the Atomic Energy Commission's plans for underground nuclear tests on the Alaskan island of Anchitka.

Filing under the Freedom of Information Act, they contended that the secret report includes "vitally needed information" for exercise of congressional legislative powers.

They are represented by former Attorney General Ramsey Clark, whose law office here has handled legislative and court matters of concern to Alaskan natives.

In a letter attached to the lawsuit, presidential counsel John W. Dean III told Rep.

Patsy Mink (D-Ha.) that the report — prepared by an interdepartmental committee headed by Under Secretary of State John N. Irwin III — was "prepared for the advice of the President."

He refused to submit the committee's recommendations to Mrs. Mink because they "involve highly sensitive matter that is vital to our national defense and foreign policy."

The lawsuit was assigned to Federal District Judge George L. Hart Jr., who is already considering a related case brought by conservation and antiwar groups who want the nuclear tests cancelled.

The \$118 million five-megaton test of an ABM warhead called Cannikin is scheduled for this fall.

Dr. Glenn T. Seaborg, departing chairman of the AEC, said last weekend that the test

"can be carried out entirely safely."

But opponents contend that Cannikin will kill large numbers of sea otters, seals and sea lions and perhaps trigger earthquakes and tidal waves that could threaten Hawaii.

The report which the congressmen sought in their lawsuit yesterday was prepared by representatives of the Environmental Protection Agency, the Council on Environmental Quality and the President's Office of Science and Technology, along with Irwin.

Mrs. Mink was joined by congressmen from both parties and states across the country in filing the legal action.

The U.S. Court of Appeals here recently reversed a federal court's refusal to release a similar report on the supersonic transport airplane.