

January 3, 2003

The Honorable Joe Barton, Chairman  
Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

RE: Ohngo Gaudadeh Devia v. NRC, No. 02-9583 (10<sup>th</sup> Cir., filed Nov. 29, 2002)

Dear Chairman:

This lawsuit challenges a Commission decision, CLI-02-20, rejecting an “environmental justice” claim in the Private Fuel Storage licensing proceeding. Petitioner, Ohngo Gaudaheh Devia (“OGD”), is a group of Goshute Indians who oppose the proposed Private Fuel Storage facility. Because the Licensing Board and the Commission have not yet reached a final licensing decision in the Private Fuel Storage case, we have filed a motion in the court of appeals to hold OGD’s lawsuit in abeyance, pending a final licensing decision. The court has not yet acted on our motion.

Sincerely,

*/RA/*

John F. Cordes, Jr.  
Solicitor

cc: Representative Rick Boucher

January 3, 2003

The Honorable Sonny Callahan, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

RE: Ohngo Gaudadeh Devia v. NRC, No. 02-9583 (10<sup>th</sup> Cir., filed Nov. 29, 2002)

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Solicitor

cc: Representative Peter J. Visclosky

January 3, 2003

The Honorable Harry Reid, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

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John F. Cordes, Jr.  
Solicitor

cc: Senator Pete Domenici

January 3, 2003

The Honorable Harry Reid, Chairman  
Subcommittee on Transportation, Infrastructure and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

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cc: Representative James Inhofe