

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 (10th 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 (10th Cir., filed Nov. 29, 2002)

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Sincerely,

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John F. Cordes, Jr.
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

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

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Sincerely,

/RA/

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

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

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Solicitor

cc: Representative James Inhofe