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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-194535

April 25, 1979

The Honorable Edward M. Kennedy
Chairman, Committee on the Judiciary
United States Senate ⁵⁰⁰

Dear Mr. Chairman:

We refer to your letter of March 28, 1979, requesting our
comments on ~~S. 379, 96th Congress, 1st Session~~, a bill for the
relief of Mrs. Ascencion J. Lujan, et al.

The bill would authorize and direct the Secretary of the
Treasury to make payment to Mrs. Lujan and other designated
parties a sum in full satisfaction of claims against the United
States arising out of the death of Sevedeo Lujan. Mr. Lujan was
killed in an explosion at the Los Alamos Scientific Laboratory in
New Mexico, October 14, 1959, where he was employed in a project
conducted under a contract with the Atomic Energy Commission. In ^{ABC 00}
this connection, S. Res. 63, 96th Congress, 1st Session, was sub-
mitted by Senator Domenici to refer S. 379 to the Chief Commissioner
of the United States Court of Claims, for findings of fact and
recommendations under the provisions of 28 U.S.C. § 1492, and
§ 2509 (1976). A similar bill and resolution were introduced in
the 95th Congress, 1st Session: S. 2246, and S. Res. 309.

A claim relating to this matter was filed with our Claims
Division, file No. Z-899522, apparently around the time of the
accident. However, the file was sent to the Mechanicsburg,
Pennsylvania, Record Center, for storage and subsequently was
destroyed because it was a settled claim. Therefore, this Office
has no knowledge of the facts other than that contained in our
legislative history file. Further development of the facts at
this late date by this Office would not appear warranted since that
task would be delegated to the Commissioner, Court of Claims, by
S. Res. 63.

*Claims adjudicated
Victim Compensation*

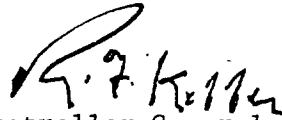
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We note that a similar act for the relief of Marcos Rojas Rodriguez was passed by the 93d Congress. See Private Law 93-84, 93d Congress, S. 724, July 25, 1974.

In view of the above we offer no comment on the bill.

Sincerely yours,



Deputy Comptroller General
of the United States