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**AUTHOR:** SEN Barbara Boxer  
**AFFILIATION:** SEN  
**ADDRESSEE:** CHRM Richard Meserve  
**SUBJECT:** Concerns proposed changes to conduct of hearings

**ACTION:** Signature of Chairman  
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# United States Senate

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August 17, 2001

Mr. Richard Meserve  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001


Dear Mr. Meserve:

I am writing to express my strong objection to the proposed changes to the Nuclear Regulatory Commission's (NRC) conduct of hearings. Although the interest in a more efficient hearing process is understandable, I believe that interest must be tempered by the Commission's obligation to the public at large to provide a full and open dialogue regarding the management of nuclear power.

The NRC has stated that the Atomic Energy Act declares only that a hearing or an opportunity for a hearing is required for certain types of agency actions and that such hearings need not be on-the-record proceedings. While the NRC might interpret the Atomic Energy Act to mean that hearings can be of an informal nature, I believe that using that interpretation to justify a change in hearing regulations is inherently anti-democratic. It is important to see that choosing this route can lead to a climate in which critical information is no longer available to our citizens, in which a full and open public record of NRC proceedings is not maintained and in which the voice of the people is muted.

I feel very strongly that changing the conduct of hearings is not an acceptable answer to the question of the Commission's efficiency. Indeed, a thorough and on-the-record public process is essential to maintaining our citizen's confidence in the NRC's decision-making process. That principle should not be sacrificed in the name of efficiency. Please contact me regarding your plans.

Sincerely,

  
Barbara Boxer  
United States Senator