

NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

Closed Meeting

DISCUSSION OF

NUCLEAR EXPORT-RELATED MATTERS

Place - Washington, D. C.

Date - Thursday, 21 December 1978

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Closed Meeting

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DISCUSSION OF  
NUCLEAR EXPORT-RELATED MATTERS

Room 1130  
1717 H Street, N.W.  
Washington, D.C.

Thursday, 21 December 1978

A hearing in the above-entitled matter was held, pursuant to vote, at 2:30 p.m., JOSEPH HENDRIE, Chairman, presiding.

PRESENT:

JOSEPH HENDRIE, CHAIRMAN

VICTOR GILINSKY, COMMISSIONER  
RICHARD KENNEDY, COMMISSIONER  
PETER BRADFORD, COMMISSIONER  
JOHN AHEARNE, COMMISSIONER

Messrs. Scinto, Rothschild, Gossick, Pedersen, Kelley, Shea, Hoyle, Devine, Stoiber, and Chilk.

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P R O C E E D I N G S

The Commission voted on short notice to hold the meeting, and voted on short notice to close the meeting.

CHAIRMAN HENDRIE: I will call two things to your attention. The first one is a request for the Commission's views on the French sale of a couple of reactors to the People's Republic of China.

We have noted previously in this meeting that the consultation period here is not all that might in some quarters be considered desirable. Nevertheless, we have -- the government apparently is on the hook to reply by the 23rd, and there is a draft letter around --

COMMISSIONER KENNEDY: Which day is it, the 21st or the 23rd?

MR. PEDERSEN: We were asked to reply, I believe, by today.

CHAIRMAN HENDRIE: The close of business today.

MR. PEDERSEN: There is a telegram circulating that I saw, that indicated the government-to-government response was expected by the 23rd, from what I saw.

CHAIRMAN HENDRIE: There is a draft of the letter, an alternate draft of the Staff version that OPE

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has prepared that I recommend to you.

In fact, there are two -- one of them dealing with the consultation period and one dealing with the technology transfer. So I call that to your attention and recommend speedy action.

MR. GOSSICK: Mr. Chairman?

CHAIRMAN HENDRIE: Yes?

MR. GOSSICK: There is some later information, I understand, that is in the process of being given to you. It has been, I guess, addressed to only the assistants so far. We are getting the paper down.

I don't know that we can discuss it here, because of classification, and also it wasn't billed as an item. But, it bears on what I think --

COMMISSIONER AHEARNE: Then as far as status goes, that is something else there is something else that we are about to receive.

CHAIRMAN HENDRIE: It relates to the Staff position.

COMMISSIONER BRADFORD: Is this further material from DOE?

MR. SHEA: No. It relates basically to the Staff

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position on this changing Staff position based on the information received.

COMMISSIONER GILINSKY: Can't we just turn this into a classified session and discuss it?

MR. KELLEY: It has been open.

COMMISSIONER GILINSKY: Can't we just close it?

MR. KELLEY: You can vote to do it.

COMMISSIONER GILINSKY: Why don't we just vote to do it. There is a deadline. We can do it.

COMMISSIONER KENNEDY: I say we so vote.

CHAIRMAN HENDRIE: All in favor of closing the meeting?

COMMISSIONER GILINSKY: Aye.

COMMISSIONER KENNEDY: Aye.

COMMISSIONER BRADFORD: Aye.

COMMISSIONER AHEARNE: Aye.

CHAIRMAN HENDRIE: So ordered.

COMMISSIONER GILINSKY: You probably need a short-notice meeting vote.

CHAIRMAN HENDRIE: Those in favor of short-notice meeting.

COMMISSIONER GILINSKY: Aye.

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COMMISSIONER KENNEDY: Aye.

COMMISSIONER AHEARNE: Aye.

COMMISSIONER BRADFORD: Aye.

CHAIRMAN HENDRIE: So ordered.

MR. PEDERSEN:

MR. GOSSICK:

CHAIRMAN HENDRIE:

MR. SHEA:

COMMISSIONER KENNEDY:

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NOTE: Page 7 through 64 of this  
transcript have been withheld in  
their entirety. (EXEMPTION 1)

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COMMISSIONER KENNEDY:

COMMISSIONER GILINSKY:

COMMISSIONER KENNEDY:

CHAIRMAN HENDRIE:

COMMISSIONER KENNEDY:

CHAIRMAN HENDRIE: If I throw that back at you is the pattern sufficiently clear for a redrafting?

MR. PEDERSEN: We will try.

CHAIRMAN HENDRIE: Then let us please end this session now and go on to the other business we have before us this afternoon. Let us have a redraft of this thing at your earliest convenience.

COMMISSIONER KENNEDY: Do you want to vote to withhold the tape?

COMMISSIONER GILINSKY: I assumed this was a

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classified session.

CHAIRMAN HENDRIE: Somebody advise me about whether we need to vote to withhold?

MR. STOIBER: I think it would be desirable to do that.

CHAIRMAN HENDRIE: Okay.

That is, if we vote to withhold we are saying we don't see a reasonable statute of limitations on this tape then ought to be applied publicly, I think is what we are affirming. It seems to me probably to be the case.

I would therefore ask for a vote.

COMMISSIONER BRADFORD: Before you vote, let me just note that I will have to take a look at the redraft.

I think I will almost certainly have a comment of my own, apart from this.

CHAIRMAN HENDRIE: Okay. Will you try to get it in hand so that we can package it on?

COMMISSIONER BRADFORD: I have been writing it.

CHAIRMAN HENDRIE: I have got some extra language left over.

(Laughter.)

COMMISSIONER KENNEDY: Before we leave the subject,

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there was another letter in that package which I have read and would like to endorse wholeheartedly, and urge its early sending.

It is the one to Mr. Schlesinger dealing with -- and I would suggest a copy as well to go to the Secretary of State and to the National Security Advisor to the President.

COMMISSIONER AHEARNE: I would like to add a little bit more to it.

CHAIRMAN HENDRIE: John had a couple of words he would like to put in. And rather than discuss that -- well, you know we separated out the short time the complaint about, for pity sakes, you know, what happened to 30 days.

And we separated that out into another letter, and picked up also previous -- you know, there was such an effort of movement suggested -- (Inaudible.) They are all sort of gathered together and saying, listen, what happened to 30 days.

Okay, may we vote to withhold the tape?

COMMISSIONER KENNEDY: Aye.

COMMISSIONER AHEARNE: Aye.

CHAIRMAN HENDRIE: So ordered.

Thank you very much.

On to the next meeting.

(Whereupon, at 3:40, the closed meeting  
was adjourned.)

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