



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555  
October 12, 1979

POOR ORIGINAL

OFFICE OF THE  
SECRETARY

MEMORANDUM FOR: Lee V. Gossick, Executive Director for Operations  
Leonard Bickwit, Jr., General Counsel

FROM: *for* Samuel J. Chilk, *SECRETARY*

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION 79-29,  
2:05 P.M., THURSDAY, OCTOBER 4, 1979, COMMISSIONERS'  
CONFERENCE ROOM, D.C. OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-79-430 - Connor FOIA Appeal - 79-A-15

1. The Commission:

- a. by a vote of 5-0, approved the release of the following documents to Troy Connor, Counsel for Nuclear Engineering Company, Inc. in response to Mr. Connor's July 18, 1979 appeal from an initial FOIA decision (FOIA 79-213):
  - (1) Document 6 - March 29, 1979 memorandum from the General Counsel to the Commissioners
  - (2) Document 8C - unsigned memorandum from the General Counsel to the Commissioners, with attachments
  - (3) Document 8E - unsigned copy of Notice of Hearing
  - (4) Document 9 - draft Memorandum and Order
- b. by a vote of 3-2, with Commissioners Gilinsky and Bradford dissenting, denied Mr. Connor's appeal for the release of Documents 7, 8A, 8B, 8D, 8F and 8G;
- c. by a vote of 4-1, with Commissioner Gilinsky dissenting in part,\* denied Mr. Connor's appeal for the release of Document #10. (OGC/SECY) (SECY Suspende: 10/12/79)

2. The Commission requested that the proposed letter to Mr. Connor be revised to reflect the views of individual Commissioners on this matter and that a copy of the signed letter to Mr. Connor and that copies of the released documents be placed in the Public Document Room. (OGC/SECY) (SECY Suspende: 10/12/79).

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\* Commissioner Gilinsky would have preferred the release of document #10 except for a small portion of the text containing nonfactual material.

Commissioner Bradford would have preferred to release all the documents, but on document #10 he deferred to the judgment of the General Counsel although he saw no likely harm from its release himself.

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II. SECY-79-558 - Approval Under Section 145(b) of the Atomic Energy Act of 1954, as Amended, for Employment of Paul Fritz Langer as a Consultant to Commissioner Gilinsky and for Access to National Security Information and Restricted Data

Under the provisions of Section 145(b) of the Atomic Energy Act, as amended, the Commission, by a vote of 4-0,\* determined that permitting Paul Fritz Langer, who will be a consultant to Commissioner Gilinsky, access to National Security Information and Restricted Data is clearly consistent with the national interest and will not endanger the common defense and security. (ADM)

cc:  
Chairman Hendrie  
Commissioner Gilinsky  
Commissioner Kennedy  
Commissioner Bradford  
Commissioner Ahearne  
Commission Staff Offices

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\* Commissioner Kennedy was not present but had previously indicated his approval of this item.