

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



\_\_\_\_\_ )  
 In the Matter of )  
 )  
 GENERAL ELECTRIC COMPANY )  
 )  
 (Vallecitos Nuclear Center - )  
 General Electric Test Reactor) \_\_\_\_\_

Docket Nos. 50-70  
 70-754  
 (Show Cause)

ORDER

In a letter to the Board dated May 24, 1978, Intervenor Congressman Dellums states the following:

" . . . I assume that Mr. Halterman's activities in this matter [i.e., Halterman's active representation of the Congressman in this case] are within the scope of his official duties and are not on my behalf as an individual; that they are not in conflict with 18 U.S.C. §§203 and 205. (Mr. Halterman was subsequently replaced as the Congressman's representative by Ms. Nancy Snow, Administrative Aide for Congressman Dellums).

Each of the parties is requested to address, in a written memorandum directed to the Licensing Board, each of the following questions:

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1. Does Intervenor Dellums have "standing," as that concept is employed in N.R.C. licensing proceedings, to participate in this case by virtue of his status as a Congressman?
  - a. If so, are there legal or regulatory impediments to his representation by Mr. Halterman or Ms. Snow?  
What are they?
  
2. Assuming that Congressman Dellums has "standing" as a private citizen, and was admitted to the case on that basis, do the points raised by the Commission's General Counsel have relevance to the Congressman's continued participation in the same manner as heretofore? What relevance?
  
3. Should the Licensing Board attempt to determine the matter itself, or is the case an appropriate one for referral to the Department of Justice for investigation as involving a possible violation of federal criminal law?
  - a. If such referral is believed to be appropriate, should the referral be made by the Licensing Board, the Office of the General Counsel, or by some other body within the N.R.C.?

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The parties are requested to respond fully to the listed questions no later than July 13, 1979.

SO ORDERED.

THE ATOMIC SAFETY AND  
LICENSING BOARD

  
Edward Luton, Chairman

Dated at Bethesda, Maryland  
this 13th day of June 1979.

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