



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

AC01-2 51

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*May Lynn*

NOV 30 1989

MEMORANDUM FOR: Edward L. Halman  
Director, Division of Contracts  
& Property Management

FROM: James A. Fitzgerald *JA*  
Assistant General Counsel  
for Adjudications & Opinions

SUBJECT: PROPOSED NRC ACQUISITION REGULATION

The purpose of this memorandum is to transmit to you our comments on the proposed rule to establish the NRC Acquisition Regulation, which was published in the Federal Register on October 2, 1988, (54 Fed. Reg. 40420). My office has reviewed the rule in the light of the conflict of interest laws applicable to current and former NRC employees. On the basis of that review, we suggest that a separate subpart 2009.1 section containing the following language be substituted for section 2009.100(c) of the proposed rule:

Nothing in this subpart shall be construed as relieving current or former NRC employees from compliance with the requirements of NRC's Conduct of Employees regulations, regulations issued by the Office of Government Ethics, or conflict of interest statutes applicable to current or former Government employees. To help ensure compliance with such requirements, any proposal that states a current NRC employee will be used to perform work under the contract shall be referred to the General Counsel for review.

Please call Susan Fonner (x21632) if you have any questions regarding the above.

cc: Brian Kildee

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