

1001 N. Randolph Street
Apt. 410
Arlington, VA 22201

November 18, 1999

Mr. Stephen G. Burns
Deputy General Counsel
Nuclear Regulatory Commission
Office of the General Counsel
1 White Flint North
11555 Rockville Pike
Rockville, MD 20852

Dear Mr. Burns:

As you may know, Professors Marshall Breger and Gary Edles are in the process of compiling data for a survey on the various independent agencies, which will be included in an article they expect to publish next year. During the 1980s, the two men respectively served as Chair and General Counsel for the Administrative Conference of the United States. Professor Breger then served as Solicitor of Labor from 1991-93.

During their tenure with the Conference, they collected data on various agencies and, since its termination, they have continued their efforts. Professor Edles is teaching at the University of Hull in England this semester so they asked me to assist them in locating this information. Although our work is almost complete, there remains certain questions concerning practice in your agency that we have been unable to discern. We would greatly appreciate your help in answering the following questions:

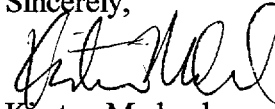
1. Does the Chairman of the Nuclear Regulatory Commission have the authority to select key staff officials without first obtaining the approval of the other members of the board? If he does have this authority, does he ever exercise the option or does he usually request the opinion of the board members before making selections?
2. Does the Chairman approve the budget himself or do the board members collectively approve the budget before it is submitted to OMB/Congress.

If you have any questions or need clarification, please do not hesitate to contact me. During the day I can be reached at either (202)466-4747 or (703)465-1925. If you wish to fax the information to me, please send it to (202)835-0663. Alternatively, the information can be mailed to either the above-referenced address or directly to Marshall Breger at the following address:

Professor Marshall Breger
The Catholic University of America
Columbus School of Law
3600 John McCormack Road, NE
Washington, D.C. 20064

Thank you very much for your assistance. I look forward to hearing from you.

Sincerely,



Kirsten Medved

cc: Marshall Breger
Gary Edles