



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

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OFFICE OF THE
COMMISSIONER

November 16, 1978

MEMORANDUM FOR: Chairman Hendrie
Commissioner Kennedy
Commissioner Bradford
Commissioner Ahearne

FROM: Commissioner Gilinsky V.G.

SUBJECT: COMMISSION LETTER TO CONGRESSMAN
UDALL ON EDO TESTIMONY

If the Commission insists on writing to Mo that the participants in the second August 2, 1978 meeting do not remember whether Lee was there when I described the CIA briefing, please include me out. You will recall we are talking about a meeting that, by Dick's reckoning, lasted about three minutes and whose sole subject was the CIA briefing. Lee was present at his own specific request because he said he had never been briefed on the matter and was anxious to hear about it. I will not argue that I remember his attentive presence for the entire 180 seconds but I remember his comments at the end -- and if he was called away for a moment I am sure we would have waited for his return. The notion that he was not informed because he missed the punch line is far-fetched.

I must say I find it curious that the Commission relies so heavily on Lee's possible momentary absence from a meeting which is cited by others for the proposition that nothing much happened there.

By way of contrast, this Commission did not hesitate to label a utility's failure to provide a report relevant to a licensing action as a "material false statement", and levied a substantial fine, even though it was stipulated that no deception was intended and that in retrospect the report was not particularly significant.