

adjudication on the record. Each of these is subject to review by the Commission, except for decisions of the Board of Contract Appeals and for security clearance determinations.

(a) Licensing of production and utilization facilities (principally reactors), including construction permits and operating licenses, under 42 U.S.C. 2131-2140, 2231-2239; the hearings usually being conducted by atomic safety and licensing boards.

(b) Licensing of source, byproduct and special nuclear material, under 42 U.S.C. 2073, 2077, 2092, 2093, 2111, 2112, 2231, and 2239, in proceedings usually heard by hearing examiners.

(c) Modification, suspension, or revocation of licenses, under 42 U.S.C. 2231, 2236, and 2239; the proceedings usually being conducted by hearing examiners.

(d) Applications for just compensation for inventions or discoveries useful in nuclear weapons, or for awards for inventions or discoveries useful in producing or utilizing atomic energy, under 42 U.S.C. 2181-2188, 2223 and 2239 and 35 U.S.C. 183 and 188, in proceedings heard by the Patent Compensation Board.

(e) Personnel security hearings under 42 U.S.C. 2201, conducted by personnel security boards which make recommendations to the General Manager.

(f) Appeals from decisions of contracting officers under the disputes articles of contracts, in proceedings conducted by the Board of Contract Appeals or in certain cases by hearing examiners.

(g) Hearings held upon termination of, or refusal to grant or to continue, Federal financial assistance pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

Your subcommittee is respectfully invited to consider in this connection the more detailed discussion of the Commission's responsibilities as given in my letter of March 15, 1965, discussing the Commission's compliance with Section 3 of the Administrative Procedure Act. I believe that it is proper, however, to note specifically certain of the Commission's policies and practices.

Section 3 of the Administrative Procedure Act, 5 U.S.C. 1002, is made applicable to all functions of the Commission under the Atomic Energy Act of 1954 by the terms of section 181 of the 1954 act, 42 U.S.C. 2231. The latter section provides for certain special procedures in the cases of agency proceedings or actions involving restricted data or defense information as defined in the Atomic Energy Act, sections 11(h) and 11(w) (42 U.S.C. 2014(h) (w)).

Under the Commission's regulations, 10 CFR part 9, "Public Records," a wide variety of documents is included in the public records of the Commission. A copy of part 9 is attached for your information. The following categories are excluded from the public records of the Commission:

(a) Documents withheld, as a result of timely application by the submitting party, for good reason as determined according to section 2,790(b) (see below);

(b) Documents relating to personnel matters and medical and other personal information, which in the interest of personal privacy are not normally made public;

(c) Intraagency and interagency communications, including memorandums, reports, correspondence, and staff papers prepared by members of the Commission, AEC personnel, or any other Government agency for use within the executive branch of the Government;

(d) Transcripts or other records of Commission meetings except those which constitute public hearings;

(e) Correspondence between the AEC and any foreign government;

(f) Records and reports of investigations;

(g) Documents classified as restricted data under the Atomic Energy Act of 1954 or classified under Executive Order No. 10501 (except that documents classified as restricted data which would otherwise be public records will be made available to Members of Congress upon authorization by the Commission, and to persons authorized under access permits issued pursuant to part 25 to the extent so authorized);

(h) Correspondence received in confidence by the Commission relating to an alleged or possible violation of any statute, rule, regulation, order, license, or permit;

(i) Correspondence with Members of Congress or congressional committees, except (1) correspondence released by the Member of Congress or congressional committee concerned, or (2) correspondence regarding the issuance, denial, amendment, transfer, renewal, modification, suspension, or revocation of a license or permit or regarding a rulemaking proceeding;