

(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) Intra-agency 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;

(j) Any other document involving matters of internal agency management;

(k) Names of individuals who have received exposure to radiation.

Part 9 of the regulations applies to proceedings conducted pursuant to parts 2 and 25 (sec. 9.1). It is the Commission's practice to apply the criteria of section 9.4 to the disclosure of information in other circumstances. Under 10 CFR section 9.7, agency personnel are prohibited from producing or disclosing without Commission approval the contents of material defined in section 9.4. On finding that disclosure is not contrary to the public interest, the general manager or director of regulation may authorize disclosure of such documents pursuant to a subpoena or to personnel of a Government agency or of any State or political subdivision thereof as required for the performance of their official duties.

Under 10 CFR section 2.790(b), the Commission may withhold any document or part from public inspection: "if disclosure of its contents is not required in the public interest and would adversely affect the interest of a person concerned."

This section is generally intended to protect trade secrets. It is rarely invoked. On a few occasions when it has been determined that the material in question did embody trade secrets and that the conduct of a hearing would not be prejudiced, it has been withheld from public disclosure. In one case, the request for an applicant that certain material in a license application be withheld from public disclosure as embodying trade secrets was denied. The applicant demanded a hearing, which was conducted in camera under part 2 of the Commission's regulations. On a determination of a hearing examiner that the material in question did not embody trade secrets which required withholding under section 2.790, the material was disclosed in the public document room.

Procurement instruction 9-53.103, which is published as a part of a supplement to the AEC Manual, promulgates the policy of the Commission that unclassified contracts which contain no confidential information are to be made available to other Federal agencies, to persons properly and directly concerned, and to others when the interested contractor does not object.

The Commission's procurement regulations provide, in 41 CFR section 9-3.103, that in procurement by negotiation the names of unsuccessful negotiators for contracts and the amounts and conditions of their proposals or quotations shall not be revealed.

Chapter 2104 of the AEC Manual provides that nondefense information may be designated "official use only" with the approval of a headquarters division head or a manager of operations. The manual gives the following illustrations of the type of document which may be so marked; trade secrets of contractors or subcontractors; staff papers submitted to the Commission for consideration; information which relates to the medical history, personnel, or